



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY PIEDMONT REGIONAL OFFICE

4949A Cox Road, Glen Allen, Virginia 23060
(804) 527-5020 Fax (804) 527-5106
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Michael P. Murphy
Regional Director

December 1, 2014

Mr. Jon Farinholt
Chief Operating Officer
Chesapeake Marine Railway, LLC
548 Deagle's Rd
Deltaville, VA 23043

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Virginia Pollutant Discharge Elimination System (VPDES) Permit Reissuance
VA0091294, Chesapeake Marine Railway, LLC

Dear Mr. Farinholt:

Your VPDES permit is enclosed. Please read the permit carefully because you are responsible for meeting all permit conditions. A hard copy Discharge Monitoring Report (DMR) is enclosed; however, you are strongly encouraged to utilize the electronic DMR available through e-DMR. The first DMR required by this permit for the first semi-annual monitoring period, July 1, 2015 through December 31, 2015, is due no later than January 10, 2016. The first DMR required by this permit for the first annual monitoring period, January 1 through December 31, 2015, is due no later than January 10, 2016. Monitoring results on the DMRs should be reported to the same number of significant digits as included in the permit limit for the parameter.

The Piedmont Regional Office has implemented a new protocol for the reporting required in Part II G, H and I of the (re)issued permit. Immediate (within 24 hours) reports must be submitted to the Regional Office via email (pro.SSO-UD@deq.virginia.gov) or telephone (804-527-5020). Email is the preferred method of reporting. Notification via fax is no longer acceptable. Please begin implementing the new reporting protocol immediately.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under §§ 62.1 - 44.16, 62.1 - 44.17, and 62.1 - 44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must meet the requirements set forth in 9VAC25-230-130 (Procedural Rule No. 1 – Petition for formal hearing). In cases involving actions of the Board, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

VPDES Permit No. VA0091294 Reissuance
December 1, 2014
Page 2 of 2

If you have any questions, please contact Laura Galli at (804) 527-5095 or Laura.Galli@deq.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Winter', written over a horizontal line.

Kyle Iyar Winter, P.E.
Deputy Regional Director

Enclosure: Permit No. VA0091294
cc: Heather Deihls, PRO
Pat Bishop, PRO
Elleanore Daub, CO



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Permit Number: VA0091294

Effective Date: December 1, 2014

Expiration Date: November 30, 2019

AUTHORIZATION TO DISCHARGE UNDER THE
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM
AND

THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this permit cover page, and Parts I and II of this permit, as set forth herein.

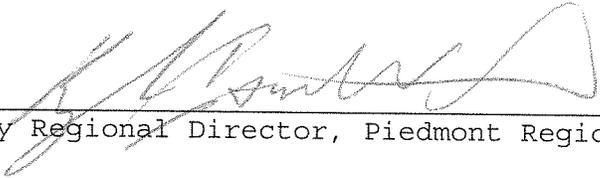
Owner: Chesapeake Marine Railway, LLC
Facility Name: Chesapeake Marine Railway, LLC
County: Middlesex
Facility Location: 548 Deagle's Road, Deltaville, Virginia 23043

The owner is authorized to discharge to the following receiving streams:

Outfall Numbers: 001/101, 008/908, 009/909 002

Stream: Fishing Bay to Unnamed Tributary (UT) to
Piankatank River Piankatank River

River Basin: Chesapeake Bay, Atlantic Ocean & Small Coastal Basins
River Subbasin: N/A
Section: 2
Class: II
Special Standard: a


Deputy Regional Director, Piedmont Regional Office

01 DEC 2014

Date

PART I

A. LIMITATIONS AND MONITORING REQUIREMENTS - STORM EVENT MONITORING

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall: 001 (storm water runoff from industrial activities where chemical monitoring is required; SIC Code 3732).

Such discharges shall be limited and monitored by the permittee as specified below: [a]

	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS [b]	
	Minimum	Maximum	Frequency	Sample Type
Flow (MG)	NA	NL	1/6 Months [c]	Estimate [d]
pH (SU)	6.0	9.0	1/6 Months [c]	Grab
Total Suspended Solids (mg/l) [e] [f]	NA	NL	1/6 Months [c]	Grab
Total Kjeldahl Nitrogen (mg/l) [f]	NA	NL	1/6 Months	Grab
Nitrite plus Nitrate (mg/l) [f]	NA	NL	1/6 Months	Grab
Total Nitrogen (mg/l) [f] [g]	NA	NL	1/6 Months	Calculate
Total Phosphorus (mg/l) [f]	NA	NL	1/6 Months	Grab
Total Recoverable Copper (µg/l) [e]	NA	NL	1/Year	Grab
Total Recoverable Zinc (µg/l) [e]	NA	NL	1/Year	Grab

NL = No limit, however, reporting is required; NA = Not Applicable

1/Year = Between January 1 and December 31.

1/6 Months = Defined as: 1st Half (January 1 - June 30); 2nd Half (July 1 - December 31)

Upon issuance of the permit, Discharge Monitoring Reports (DMRs) shall be submitted to the regional office at the frequency required by the permit regardless of whether an actual discharge occurs. In the event that there is no discharge for the monitoring period, then "no discharge" shall be reported on the DMR.

[a] See Part I.D.1.b.(2) regarding development of protocols and procedures for consistent and representative storm water runoff sampling. See Part I.D.1.b.(6) pertaining to when sampling is to begin at this location.

[b] See Part I.D.1. for additional storm water sampling and reporting requirements. Storm event sampling for this outfall is subject to the specified storm event monitoring requirements (measurable storm event; 72 hours separation; storm event duration; rainfall measurements). All other requirements under Part I.D. shall apply.

[c] Upon completion of monitoring required by Part I.B.10. of this permit, the monitoring frequency for flow, pH, and total suspended solids shall be reduced to once per year (1/Year), for the remaining term of this permit.

[d] Estimate the total volume of the discharge during the storm event from which samples were taken.

[e] See Parts I.B.4. and I.B.5. for quantification levels and reporting requirements, respectively.

[f] See Part I.B.10. for additional information, calculations, reporting, and other requirements pertaining to total Kjeldahl nitrogen, nitrite+nitrate, total nitrogen, total phosphorus, and total suspended solids. Monitoring of total suspended solids shall continue throughout the entire term of this permit [Part I.B.10.a.(3)].

[g] Total nitrogen, which is the sum of TKN and nitrite+nitrate, shall be derived from the results of those tests.

2. There shall be no discharge of floating solids or visible foam or discolored runoff in other than trace amounts.

PART I

A. LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall: 101 (process wastewater discharges [a] at the designated location of hull preparation activities associated with the travel-lift vessel haul system, where no chemical monitoring is required; SIC Code 3732).

Such discharges shall be limited and monitored by the permittee as specified below: [b] [c] [d]

SEE PART I.B.7.a.(8) REGARDING SPECIFIC OPERATIONAL CONTROLS AND BEST MANAGEMENT PRACTICES (BMP) FOR COLLECTION AND DISPOSAL OF SOLIDS AND WASTES RESULTING FROM HULL PREPARATION ACTIVITIES AT THE LOCATION DESIGNATED BELOW (e.g., PAINT CHIPS, BIOLOGICAL GROWTH, RUST, ETC.).

SEE PARTS I.B.8.e.(1)(a) AND I.B.8.e.(1)(c) FOR ACTIONS NECESSARY TO DESIGNATE AND REPORT TO THE DEQ'S PIEDMONT REGIONAL OFFICE THE SPECIFIC LOCATION(S) WHERE PROCESS WASTEWATER GENERATING ACTIVITIES WILL TAKE PLACE, ACROSS THE TERM OF THIS PERMIT, AND PART I.B.8.e.(2) FOR THE DUE DATE OF THE REPORT'S SUBMISSION.

SEE PART I.B.8.e.(1)(b) PERTAINING TO THE DEVELOPMENT OF ADDITIONAL CONTROL MEASURES OR BMPS SPECIFIC TO MINIMIZING THE VOLUME(S) OF PROCESS WASTEWATERS GENERATED AT THIS LOCATION.

[a] Per Part I.B.8.a., process wastewater related to hull work shall be any water used on a vessel's hull for any purpose regardless of application pressure, including but not limited to the activities of removing marine salts, sediments, marine growth, hull coatings and paint, or other hull, weather deck, or superstructure cleaning activities using water such as preparing those areas for inspection or work (cutting, welding, grinding, etc.)

[b] See Part I.B.8.b. for information pertaining to generation of process wastewaters and the onset of a measurable storm event, and Part I.B.8.c. for information pertaining to the use of detergents, surfactants or other additives.

[c] See Part I.B.8.d. regarding preparation and submission of Process Wastewater Generation, Description, and Management Report (Attachment B).

[d] See Part I.B.9. pertaining to the prohibition of rinsing or removing hull coatings formulated with tributyltin (TBT), at the designated locations under this permit.

4. There shall be no discharge of floating solids, visible foam, or discolored runoff in other than trace amounts.

PART I

A. LIMITATIONS AND MONITORING REQUIREMENTS - STORM EVENT MONITORING

5. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall: 002 (storm water runoff from designated upland vessel storage and maintenance location associated with on-site industrial activities, where no monitoring is required; SIC Code 3732).

Such discharges shall be limited and monitored by the permittee as specified below:

THIS OUTFALL SHALL CONTAIN STORM WATER RUNOFF ASSOCIATED WITH A REGULATED INDUSTRIAL ACTIVITY WHERE NO CHEMICAL MONITORING OR BIOLOGICAL TOXICITY TESTING ARE REQUIRED, INCLUDING THE QUARTERLY VISUAL EXAMINATIONS OF THE PHYSICAL CHARACTERISTICS OF STORM WATER RUNOFF AS REQUIRED BY PART I.D.1.f.

FOR THE TERM OF THIS PERMIT, THE PERMITTEE SHALL PERFORM REGULAR PHYSICAL INSPECTIONS OF THE INDUSTRIAL ACTIVITIES PERFORMED IN THE DRAINAGE AREA(S) ASSOCIATED WITH THIS POINT SOURCE DISCHARGE LOCATION, AS REQUIRED BY PARTS I.B.7.b. (SHIPYARD BEST MANAGEMENT PRACTICES), I.D.3.d. (ANNUAL SITE COMPLIANCE EVALUATION), AND I.D.4.e.(2)(c) (ROUTINE FACILITY INSPECTIONS).

ADEQUATE DOCUMENTATION AND REPORTING SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF THOSE SAME SECTIONS OF THE PERMIT (PART I.B.7.b. - ATTACHMENT A [QUARTERLY] SHIPYARD BMP COMPLIANCE REPORTING FORM WITH ALL WEEKLY AUDIT CHECKLISTS, AND THE PERMIT'S STORM WATER POLLUTION PREVENTION PLAN - PARTS I.D.3.d. AND I.D.4.e.(2)(c), RESPECTIVELY).

THERE SHALL BE NO DISCHARGE OF PROCESS WASTEWATER FROM THIS OUTFALL. SEE PART I.B.8.a. FOR A DEFINITION OF PROCESS WASTEWATER UNDER THIS PERMIT.

6. There shall be no discharge of floating solids or visible foam or discolored runoff in other than trace amounts.

PART I

A. LIMITATIONS AND MONITORING REQUIREMENTS

7. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfalls: 008 and 009 (process wastewater discharges associated with industrial activities performed at and upon conventional marine railway vessel haul systems; SIC Codes 3732, 4499).

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS [a]		
	Monthly Average	Weekly Average	Minimum	Maximum	Frequency	Sample Type
Flow (MGD)	NA	NA	NA	NL	1/Year	Estimate
pH (S.U.)	NA	NA	6.0	9.0	1/Year	Grab
Total Suspended Solids (mg/l) [c] [d]	NA	NA	NA	NL	1/Year	Grab
Total Kjeldahl Nitrogen (mg/l) [d]	NA	NA	NA	NL	1/Year	Grab
Nitrite plus Nitrate (mg/l) [d]	NA	NA	NA	NL	1/Year	Grab
Total Nitrogen (mg/l) [d] [e]	NA	NA	NA	NL	1/Year	Grab
Total Phosphorus (mg/l) [d]	NA	NA	NA	NL	1/Year	Calculate
Total Recoverable Copper (µg/l) [c]	NA	NA	NA	NL	1/Year	Grab
Total Recoverable Zinc (µg/l) [c]	NA	NA	NA	NL	1/Year	Grab

NA = Not Applicable; NL = No limitation, however, reporting is required.

1/Year = Between January 1 and December 31.

Upon issuance of the permit, Discharge Monitoring Reports (DMRs) shall be submitted to the regional office at the frequency required by the permit regardless of whether an actual discharge occurs. In the event that there is no discharge for the monitoring period, then "no discharge" shall be reported on the DMR.

For the purpose of this permit, process wastewater related to hull work shall be any water used on a vessel's hull for any purpose regardless of application pressure, including but not limited to the activities of removing marine salts, sediments, marine growth, hull coatings and paint, or other hull, weather deck, or superstructure cleaning activities using water such as preparing those areas for inspection or work (cutting, grinding, etc.).

[a] See Part I.B.8.e.(2) (a) regarding development of protocols and procedures for consistent and representative wastewater sampling, representative outfalls, and when to begin sampling process wastewaters under this permit. See Part I.B.9. pertaining to the prohibition of rinsing or removing hull coatings formulated with tributyltin.

[b] Estimate the total volume of wastewater flow for the wastewater generating event from which samples were taken for analyses.

See Part I.B.8.d. regarding preparation and submission of Process Wastewater Generation, Description, and Management Report (Attachment B) for each wastewater generating event at each marine railway, over the term of this permit.

[c] See Parts I.B.4. and I.B.5. for quantification levels and reporting requirements, respectively.

PART I

A. LIMITATIONS AND MONITORING REQUIREMENTS

7. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfalls: 008 and 009 (process wastewater discharges associated with industrial activities performed at and upon conventional marine railway vessel haul systems; SIC Codes 3732, 4499).

Such discharges shall be limited and monitored by the permittee as specified below: (continued)

- [d] See Part I.B.10. for additional information, calculations, reporting, and other requirements pertaining to total Kjeldahl nitrogen, nitrite+nitrate, total nitrogen, total phosphorus, and total suspended solids.
- [e] Total nitrogen, which is the sum of TKN and nitrite+nitrate, shall be derived from the results of those tests.

8. There shall be no discharge of floating solids, visible foam, or discolored runoff in other than trace amounts.

PART I

A. LIMITATIONS AND MONITORING REQUIREMENTS - STORM EVENT MONITORING

9. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall(s): 908 and 909 (Storm water runoff from areas associated with industrial activities performed at and around the site's conventional marine railways, where no monitoring is required; SIC Codes 3732, 4499)

Such discharges shall be limited and monitored by the permittee as specified below:

THESE OUTFALLS SHALL CONTAIN STORM WATER RUNOFF ASSOCIATED WITH A REGULATED INDUSTRIAL ACTIVITY WHERE NO CHEMICAL MONITORING OR BIOLOGICAL TOXICITY TESTING ARE REQUIRED, INCLUDING THE QUARTERLY VISUAL EXAMINATIONS OF THE PHYSICAL CHARACTERISTICS OF STORM WATER RUNOFF AS REQUIRED BY PART I.D.1.f.

FOR THE TERM OF THIS PERMIT, THE PERMITTEE SHALL PERFORM REGULAR PHYSICAL INSPECTIONS OF THE INDUSTRIAL ACTIVITIES PERFORMED IN THE DRAINAGE AREA(S) ASSOCIATED WITH THESE POINT SOURCE DISCHARGE LOCATIONS, AS REQUIRED BY PARTS I.B.7.b. [SHIPYARD BEST MANAGEMENT PRACTICES], I.D.3.d. [ANNUAL SITE COMPLIANCE EVALUATION], AND I.D.4.e.(2)(c) [ROUTINE FACILITY INSPECTIONS].

ADEQUATE DOCUMENTATION AND REPORTING SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE REQUIREMENTS OF THOSE SAME SECTIONS OF THE PERMIT [PART I.B.7.b. - ATTACHMENT A [QUARTERLY] SHIPYARD BMP COMPLIANCE REPORTING FORM WITH ALL WEEKLY AUDIT CHECKLISTS, AND THE PERMIT'S STORM WATER POLLUTION PREVENTION PLAN - PARTS I.D.3.d. AND I.D.4.e.(2)(c), RESPECTIVELY].

THERE SHALL BE NO DISCHARGE OF PROCESS WASTEWATER FROM THIS OUTFALL. SEE PART I.B.8.a. FOR A DEFINITION OF PROCESS WASTEWATER UNDER THIS PERMIT.

SEE PART I.B.8.b. FOR ADDITIONAL REQUIREMENTS PERTAINING TO PROCESS WASTEWATERS GENERATED DURING STORM EVENTS WITH THE POTENTIAL FOR THOSE WASTEWATERS COMMINGLING WITH STORM WATER WITH RESULTING POINT SOURCE DISCHARGE TO SURFACE WATERS.

10. There shall be no discharge of floating solids, visible foam, or discolored runoff in other than trace amounts.

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)**

Industrial Minor 11/20/2014
DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)
Piedmont Regional Office
4949-A Cox Road
Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

Chesapeake Marine Railway LLC
548 Deagles Rd
Deltaville VA 23043

FACILITY LOCATION
From SR33, turn right onto Rt1102, 1 mi to Rt
1104 (Deagle Rd), turn right and follow to the en
FROM

VA0091294	001				
PERMIT NUMBER	DISCHARGE NUMBER				
YEAR	MO	DAY	YEAR	MO	DAY
MONITORING PERIOD			TO		

PARAMETER	QUANTITY OR LOADING			QUANTITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
001 FLOW	*****	*****		*****	*****				
REQMNT	*****	NL	MG	*****	*****			1/6M	EST
002 pH	*****	*****		*****	*****				
REQMNT	*****	*****		6.0	*****	SU		1/6M	GRAB
004 TSS	*****	*****		*****	*****				
REQMNT	*****	*****		*****	NL	MG/L		1/6M	GRAB
012 PHOSPHORUS, TOTAL (AS P)	*****	*****		*****	*****				
REQMNT	*****	*****		*****	NL	MG/L		1/6M	GRAB
013 NITROGEN, TOTAL (AS N)	*****	*****		*****	*****				
REQMNT	*****	*****		*****	NL	MG/L		1/6M	CALC
068 TKN (N-KJEL)	*****	*****		*****	*****				
REQMNT	*****	*****		*****	NL	MG/L		1/6M	GRAB
196 ZINC, TOTAL RECOVERABLE	*****	*****		*****	*****				
REQMNT	*****	*****		*****	NL	UG/L		1/YR	GRAB
203 COPPER, TOTAL RECOVERABLE	*****	*****		*****	*****				
REQMNT	*****	*****		*****	NL	UG/L		1/YR	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
QLs - TSS 1.0 mg/L, COPPER 1.0 ug/l, ZINC 5.0 ug/l - INDUSTRIAL STORM WATER POINT SOURCE LOCATION, NO PROCESS WW DISCHARGES PERMITTED

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED, BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO.	DAY	

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)**

Industrial Minor 11/20/2014
DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)
NAME Chesapeake Marine Railway LLC
ADDRESS 548 Deagles Rd
Deltaville VA 23043

VA0091294	001
PERMIT NUMBER	DISCHARGE NUMBER
YEAR MO DAY	YEAR MO DAY
MONITORING PERIOD	
FROM	TO

Piedmont Regional Office
4949-A Cox Road
Glen Allen VA 23060

FACILITY LOCATION From SR33, turn right onto Rt1102, 1 mi to Rt 1104 (Deagle Rd), turn right and follow to the en FROM

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE			
389 NITRATE-NITRATE-N, TOTAL	*****	*****		*****	*****			
	*****	*****		*****	*****		1 / 6M	GRAB
REPORTD								
REQRMNT							*****	
REPORTD								
REQRMNT							*****	
REPORTD								
REQRMNT							*****	
REPORTD								
REQRMNT							*****	
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REPORTD								
REQRMNT							*****	
REPORTD								
REQRMNT							*****	
REPORTD								
REQRMNT							*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
Qls - TSS 1.0 mg/l, COPPER 1.0 ug/l, ZINC 5.0 ug/l - INDUSTRIAL STORM WATER POINT SOURCE LOCATION, NO PROCESS WW DISCHARGES PERMITTED

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE		DATE	
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR MO. DAY
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO. DAY

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)**

Industrial Minor 11/20/2014

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

Piedmont Regional Office
4949-A Cox Road

Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Chesapeake Marine Railway LLC
ADDRESS 548 Deagles Rd
Deltaville VA 23043

FACILITY LOCATION From SR33, turn right onto Rt1102, 1 mi to Rt
1104 (Deagle Rd), turn right and follow to the en

FROM

VA0091294	008
PERMIT NUMBER	DISCHARGE NUMBER
MONITORING PERIOD	
YEAR	MO
DAY	DAY
TO	

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE			
001 FLOW	*****	*****		*****	*****			
REQRMNT	*****	NL	MGD	*****	*****		1/YR	EST
002 pH	*****	*****		*****	*****			
REQRMNT	*****	*****		*****	*****		1/YR	GRAB
004 TSS	*****	*****		*****	*****			
REQRMNT	*****	*****		*****	*****		1/YR	GRAB
012 PHOSPHORUS, TOTAL (AS P)	*****	*****		*****	*****			
REQRMNT	*****	*****		*****	*****		1/YR	GRAB
013 NITROGEN, TOTAL (AS N)	*****	*****		*****	*****			
REQRMNT	*****	*****		*****	*****		1/YR	GRAB
068 TKN (N-KJEL)	*****	*****		*****	*****			
REQRMNT	*****	*****		*****	*****		1/YR	CALC
196 ZINC, TOTAL RECOVERABLE	*****	*****		*****	*****			
REQRMNT	*****	*****		*****	*****		1/YR	GRAB
203 COPPER, TOTAL RECOVERABLE	*****	*****		*****	*****			
REQRMNT	*****	*****		*****	*****		1/YR	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
QLs - TSS = 1.0 mg/l, COPPER 1.0 ug/l, ZINC 5.0 ug/l; DEFINED PROCESS WW DISCHARGES FROM MARINE RAILWAY

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE	
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO.	DAY

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)**

Industrial Minor 11/20/2014
DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)
Chesapeake Marine Railway LLC
548 Deagles Rd
Deltaville VA 23043

VA0091294
PERMIT NUMBER

009
DISCHARGE NUMBER

FACILITY LOCATION
From SR33, turn right onto Rt1102, 1 mi to Rt
1104 (Deagle Rd), turn right and follow to the en

MONITORING PERIOD
YEAR MO DAY TO YEAR MO DAY

Piedmont Regional Office
4949-A Cox Road

Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
001 FLOW	REPORTD	*****		*****	*****	*****			
	REQRMNT	*****	NL	*****	*****	*****		1/YR	EST
002 pH	REPORTD	*****		*****	*****	*****			
	REQRMNT	*****	*****	*****	*****	9.0	SU	1/YR	GRAB
004 TSS	REPORTD	*****		*****	*****	*****			
	REQRMNT	*****	*****	*****	*****	NL	MG/L	1/YR	GRAB
012 PHOSPHORUS, TOTAL (AS P)	REPORTD	*****		*****	*****	*****			
	REQRMNT	*****	*****	*****	*****	NL	MG/L	1/YR	GRAB
013 NITROGEN, TOTAL (AS N)	REPORTD	*****		*****	*****	*****			
	REQRMNT	*****	*****	*****	*****	NL	MG/L	1/YR	CALC
068 TKN (N-KJEL)	REPORTD	*****		*****	*****	*****			
	REQRMNT	*****	*****	*****	*****	NL	MG/L	1/YR	GRAB
196 ZINC, TOTAL RECOVERABLE	REPORTD	*****		*****	*****	*****			
	REQRMNT	*****	*****	*****	*****	NL	UG/L	1/YR	GRAB
203 COPPER, TOTAL RECOVERABLE	REPORTD	*****		*****	*****	*****			
	REQRMNT	*****	*****	*****	*****	NL	UG/L	1/YR	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
QLs - TSS = 1.0 mg/l, COPPER 1.0 ug/l, ZINC 5.0 ug/l; DEFINED PROCESS WW DISCHARGES FROM MARINE RAILWAY

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE		
				TYPED OR PRINTED NAME			SIGNATURE		

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)**

Industrial Minor 11/20/2014
DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

NAME Chesapeake Marine Railway LLC
ADDRESS 548 Deagles Rd
Deltaville VA 23043

VA0091234
PERMIT NUMBER
009
DISCHARGE NUMBER

FACILITY LOCATION From SR33, turn right onto Rt1102, 1 mi to Rt 1104 (Deagle Rd), turn right and follow to the en

MONITORING PERIOD
YEAR MO DAY YEAR MO DAY
TO

Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
389 NITRITE+NITRATE-N, TOTAL	*****	*****		*****	*****				
	*****	*****		*****	*****	NL		1/YR	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS
QLS - TSS = 1.0 mg/l, COPPER 1.0 ug/l, ZINC 5.0 ug/l; DEFINED PROCESS WW DISCHARGES FROM MARINE RAILWAY

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE	
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE	
				TYPED OR PRINTED NAME			SIGNATURE	

This report is required by your VPDES permit and by law. (See, e.g., the Code of Virginia of 1950 §62.1-44.5 and 9 VAC 25-31-50.) Failure to report or failure to report truthfully can result in civil penalties of \$32,500 per violation, per day and felony prosecutions which can carry a 15 year term.

DISCHARGE MONITORING REPORT (DMR) - GENERAL INSTRUCTIONS

1. Complete this form in permanent ink or indelible pencil. The use of 'correction fluid/tape' is not allowed.
2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".
3. For those parameters where the "permit requirement" spaces have a requirement or limitation, provide data in the "reported" spaces in accordance with your permit.
4. Enter the average and maximum quantities and units in the "reported" spaces in the columns marked "Quantity or Loading".
 $KG/DAY = Concentration (mg/L) \times Flow (MGD) \times 3.785$ $G/D (Grams/Day) = Concentration (mg/L) \times Flow (MGD) \times 3.785$
5. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces in the columns marked "Quality or Concentration".
6. For all parameters enter the number of samples which do not comply with the maximum and/or minimum permit requirements in the "reported" space in the column marked "No. Ex." (Number of Exceedances). If none, enter "0". Do NOT include monthly average violations in this field. Include any Maximum 7-Day Average and Maximum Weekly Average violations in this field. Permittees with continuous pH, or temperature monitoring requirements should consult the permit for what constitutes an exceedance and report accordingly.
7. You are required to sample (at a minimum) according to the Sample Frequencies and Sample Types specified in your permit.
8. Enter the actual frequency of analysis for each parameter (number of times per day, week, month, etc.) in the "reported" space in the column marked "Frequency of Analysis".
9. Enter the actual type of sample (Grab, 8HC, 24HC, etc) collected for each parameter in the "reported" space in the column marked "Sample Type".
10. Enter additional required data or comments in the space marked "additional permit requirements or comments". If additional required data or comments are appended to the DMR, reference appended correspondence in this field.
11. Record the number of bypasses during the month, the total flow in million gallons (MG) and BOD5 in kilograms (KG) in the proper columns in the section marked "Bypasses and Overflows".
12. The operator in responsible charge of the facility should review the form and sign in the space provided. If the plant is required to have a licensed operator or if the operator in responsible charge of the facility is a licensed operator, the operator's signature and certificate number must be reported in the spaces provided.
13. The principal executive officer then reviews the form and must sign in the space provided and provide a telephone number where he/she can be reached. Every page of the DMR must have an original signature.
14. Send the completed form(s) with original signatures to your Department of Environmental Quality Regional Office by the 10th of each month unless otherwise specified in the permit.
15. You are required to retain a copy of the report for your records.
16. Where violations of permit requirements are reported, attach a brief explanation in accordance with the permit requirements describing causes and corrective actions taken. Reference each separate violation by date.
17. If you have any questions, contact the Department of Environmental Quality Regional Office listed on the DMR.

**ATTACHMENT A
 VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY
 SHIPYARD BMP COMPLIANCE REPORT**

Facility Name: Chesapeake Marine Railway, LLC

Address: 548 Deagle's Road
 Deltaville, Virginia 23043

VPDES Permit No.: VA0091294

Report Period: FROM: ____/____/____ TO: ____/____/____

<u>OUTFALL NUMBER</u>	<u>COMPLIANCE</u>	/	<u>NONCOMPLIANCE</u> *
	(check as appropriate)		
001 - Industrial Areas of Travel-Lift Operations			
101 - Designated Areas of Vessel Rinsing or Pressure Washing			
002 - Industrial Areas of Upland Vessel Maintenance and Storage			
008 - (908) Marine Railway (100 Ton)			
009 - (909) Marine Railway (300 Ton)			
Attachment B Process Wastewater Wastewater Report Attached	<u>YES</u>		<u>NO</u>
Outfalls 101, 008, 009			
Total Number of Wastewater Events, All Locations (101, 008, 009):			
Weekly Audit (facility and outfalls) Checklists Attached			

* Comments on Noncompliance: All noted deficiencies, corrective actions, and other comments shall be detailed on separate attachment to this report.

 Name, Title and Signature of Principal Exec. Officer or Authorized Agent

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. §1001 and 33 U.S.C. §1319. (Penalties under these statutes may include fines up to \$10,000 and or maximum imprisonment of between 6 months and 5 years.)

 Signature of Principal Officer or Authorized Agent / Date

B. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

1. Permit Reopeners

a. Water Quality Standards Reopener

Should effluent monitoring indicate the need for any water quality based limitation, this permit may be modified or, alternatively, revoked and reissued to incorporate appropriate limitations.

b. Chesapeake Bay Nutrients Reopener

This permit may be modified or, alternatively, revoked and reissued:

- (1) To incorporate technology-based effluent concentration limitations for nutrients in conjunction with the installation of nutrient control technology, whether by new construction, expansion or upgrade, or
- (2) To incorporate alternative nutrient limitations and/or monitoring requirements, should the State Water Control Board adopt:
 - (a) New nutrient standards for the waterbody receiving the discharge including the Chesapeake Bay or its tributaries, or
 - (b) A future water quality regulation or statute requiring new or alternative nutrient controls.

c. Total Maximum Daily Load (TMDL) Reopener

This permit shall be modified or, alternatively, revoked and reissued if any approved wasteload allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the facility that are not consistent with the permit requirements.

2. Notification Levels

The permittee shall notify the Department (DEQ) as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
 - (1) one hundred micrograms per liter (100 ug/l);
 - (2) two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (3) five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - (4) the level established by the State Water Control Board (SWCB).

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

- (1) five hundred micrograms per liter (500 ug/l);
- (2) one milligram per liter (1 mg/l) for antimony;
- (3) ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
- (4) the level established by the SWCB.

3. Operations and Maintenance (O & M) Manual - Specific to Vessel Repair and Maintenance Facilities and Operations

The permittee shall develop and maintain current an Operations and Maintenance (O&M) Manual specific to on-site industrial activities, sampling of designated process wastewater and storm water discharges, reporting of resulting chemical data, and other requirements specified in this permit condition.

The O&M Manual and subsequent revisions shall include the manual's effective date and meet Part II.K.2 and Part II.K.4 Signatory Requirements of the permit. Any changes in the practices and procedures followed by the permittee shall be documented in the O&M Manual within 90 days of the effective date of the changes. The permittee shall operate the facility in accordance with the O&M Manual and shall make the O&M manual available to DEQ personnel for review during facility inspections. Within 30 days of a request by DEQ, the current O&M Manual shall be submitted to the DEQ's Piedmont Regional Office (PRO) for review and approval.

The O&M manual shall detail the industrial activities, practices, and procedures which will be followed to ensure compliance with the requirements of this permit. This manual shall include, but not necessarily be limited to, the following items, including actions required by Part I.B.7. (Boatyard Best Management Practices [BMP]), as appropriate:

- a. permitted outfall and other point-source locations, and techniques to be employed in the collection, preservation, analysis and reporting of process wastewaters and storm water runoff samples;
- b. procedures to measure and record the duration and volume of process wastewaters generated at outfalls 101, 008, 009, whether or not discharged directly to surface waters;
- c. discussion of BMPs or control measures used to prevent, to the extent practicable, discharges of untreated process wastewaters to surface waters, as applicable;
- d. procedures for handling, storing, and disposing of all wastes, fluids, and pollutants characterized in Part I.B.6. that will prevent these materials from reaching

State waters, including ground waters. List type and quantity of wastes, fluids, and pollutants (e.g. chemicals) stored at this facility;

- e. discussion of BMPs or control measures applicable throughout industrial areas at the facility, along with routine and preventative maintenance performed at and within areas associated with the travel-lift and marine railways;
- f. plan for the management and/or disposal of waste solids and residues resulting from industrial activities;
- g. hours of operation and staffing requirements for the facility necessary to ensure effective operation of the site and maintain permit compliance;
- h. list of facility, local and state emergency contacts; and,
- i. procedures for reporting and responding to any spills or overflows of petroleum products or sanitary wastes from vessels being serviced at this location.

4. Quantification Levels Under Part I.A.

- a. The maximum quantification levels (QL) shall be as follows:

<u>Effluent Characteristic</u>	<u>Quantification Level</u>
Total Suspended Solids	1.0 mg/l
Copper	1.0 µg/l
Zinc	5.0 µg/l

- b. The permittee may use any approved method which has a QL equal to or lower than the (QL) listed in Part I.B.4.a. above. The QL is defined as the lowest concentration used to calibrate a measurement system in accordance with the procedures published for the method.

5. Compliance Reporting Under Part I.A.

- a. Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in Part I.B.4.a. shall be determined as follows: All data below the quantification level (QL) listed in Part I.B.4.a. above shall be treated as zero. All data equal to or above the QL shall be treated as reported. An arithmetic average of the values shall be calculated using all reported data, including the defined zeros, collected for each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL, then the average shall be reported as <QL. For monitoring frequencies encompassing multiple months, the daily maximum value to be reported on the DMR shall be the maximum of the arithmetic daily averages calculated for each calendar day during the monitoring period.

- b. Any single datum required shall be reported as "<QL" if it is less than the QL listed in Part I.B.4.a. above. Otherwise, the numerical value shall be reported.
 - c. Where possible, all limit values on the Part I.A. limits page(s) are expressed in two significant figures. As a result, single, trailing zeros occurring after any single digit are significant. Effluent limits of 10 or greater are rounded to two significant whole numbers, with the exception that loading limits are expressed as whole numbers.
 - d. The permittee shall report at least the same number of significant figures as the permit limit for a given parameter. Regardless of the rounding convention used (i.e., 5 always rounding up or to the nearest even number) by the permittee, the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.
 - e. For process wastewaters and total phosphorus (TP), all daily concentration data below the quantification level (QL) for the analytical method used should be treated as half the QL. All daily concentration data equal to or above the QL for the analytical method used shall be treated as it is reported.
 - f. For process wastewaters and total nitrogen (TN), if none of the daily concentration data for the respective species (e.g., TKN, Nitrates/Nitrites) are equal to or above the QL for the respective analytical methods used, the daily TN concentration value reported shall equal one half of the largest QL used for the respective species. If one of the data is equal to or above the QL, the daily TN concentration value shall be treated as that data point is reported. If more than one of the data is above the QL, the daily TN concentration value shall equal the sum of the data points as reported.
6. Materials Handling and Storage
- Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of and/or stored in such a manner and consistent with best management practices (BMP) so as not to permit a discharge of such product, materials, industrial wastes and/or other wastes to State waters, except as expressly authorized.
7. Vessel Repair and Maintenance Facility Best Management Practices (BMP)
- a. The permittee shall comply with the following:
 - (1) For vessels in which sanitary waste tanks (holding tanks) are installed, all sewage from the vessels

shall be removed and disposed of by a commercial waste disposal company or discharged into the yard's sanitary waste system if such a capability exists and is appropriate.

- (2) For vessels without sanitary waste holding tanks installed, the vessel's sanitary systems shall not be permitted to discharge sewage overboard into surface waters. Vessels without holding tanks shall be connected to a holding tank or, if available, a shoreside system in compliance with Virginia Department of Health (VDH) Regulations.
- (3) The yard and areas associated with the marine railways shall be cleaned on a regular basis to minimize the possibility that runoff will carry paints, solvents, cleaners, anti-corrosive compounds, paint chips, scrap metal, trash, garbage, petroleum products or other debris into surface waters. Cleanup of areas contributing runoff shall consist of mechanical or manual methods to sweep-up and collect the debris. A minimum frequency of cleaning shall be identified in the Storm Water Pollution Prevention Plan (SWPPP) required by this permit. (Part I.D.2.)
Mechanical cleanup may be accomplished by mechanical sweepers, vacuum cleaners or other innovative equipment. Manual methods include the use of shovels and brooms.
- (4) Marine railway carriages and surrounding surfaces, and the concrete pad at the travel-lift location, shall be cleaned before receiving or launching vessels to prevent the discharge of pollutants to the waterway. They shall also be cleaned on a regular basis so as to prevent rain from washing materials into surface waters.
- (5) If abrasive blasting is performed with solid materials acceptable methods of control shall be utilized during abrasive blasting and spray painting, with the intent of preventing blast dust and overspray from falling into the receiving water. For all locations, these include the following: down-spraying of blast materials and paint; barriers or shrouds beneath the hull; barriers or shrouds between the hull and temporary/permanent support structures, from the flying bridge to temporary/permanent support structures, or from the bow and stern of the vessel to temporary structures erected for that purpose. The bottom edge of free hanging barriers shall be weighted to hold them in place during a light breeze. When abrasive blasting vessel superstructures, openings and open areas between decks shall be covered (including but not limited

- to scuppers, railings, freeing ports, ladders, and doorways) if they allow discharge to State waters.
- (6) Fixed or floating platforms shall be used as work surfaces when working at the water surface. These platforms shall be used to provide a surface to catch spent abrasive, slag, paint, trash and other debris/pollutants and shall be cleaned at the end of each work shift.
 - (7) Dust and overspray from abrasive blasting and painting in yard facilities shall be controlled to minimize the spreading of windblown materials. Frequent cleanup of these areas shall be practiced to prevent abrasive blasting waste from being washed into storm water conveyances or the adjacent waterways.
 - (8) When water blasting, hydroblasting, water-cone blasting, or similar methods are used to remove paint from surfaces, the resulting water and debris shall be collected in a sump or other suitable device, to the extent practicable. This mixture then will be either delivered to appropriate containers and plainly labeled for removal and proper off-site disposal. (See Part I.B.8.)
 - (9) All shipboard cooling water and process water shall be directed away from contact with spent abrasive, paint and other debris. Contact of spent abrasive and paint with water will be prevented by proper segregation and control of wastewater streams.
 - (10) Cleaning procedures shall be employed to remove waste materials in order to prevent their introduction into any storm drainage system(s) associated with the upland vessel maintenance area.
 - (11) The sediment traps or other operational controls in the storm water drainage system(s) for areas around marine railways and other industrial areas shall be inspected on a monthly basis and cleaned as necessary to ensure the interception and retention of solids entering the drainage system(s). Inspection logs and cleaning records must be maintained and a minimum frequency of cleaning shall be identified in the SWPPP (Part I.D.2.).
 - (12) Oil, grease, or fuel spills shall be prevented from reaching surface waters. Cleanup shall be carried out promptly after an oil, grease or fuel spill is detected. Oil containment booms shall be conveniently stored so as to be immediately deployable in the event of a spill.
 - (13) Drip pans or other protective devices shall be required for all oil or oily waste transfer operations to catch incidental spillage and drips from hose nozzles, hose racks, drums or barrels.

- (14) Oil contaminated materials shall be removed from industrial areas as soon as possible.
- (15) If required, an SPCC Plan and an oil spill discharge contingency plan must be on file, maintained current and utilized in the event that an oil spill occurs. If a spill is discovered, designated shipyard personnel should be notified immediately. Such personnel must be familiar with containment and cleanup procedures, and must notify the U. S. Coast Guard and the DEQ of all spills reaching surface waters, and immediately initiate containment/cleanup efforts. These cleanup procedures apply to hazardous substances kept on site as well. A list of such materials shall be provided to the DEQ for reference if a spill occurs. Included with this list must be an appropriate designated disposal site for each substance. Emulsifiers and dispersants are not suitable cleanup agents for spills in surface waters.
- (16) Solid chemicals, chemical solutions, paints, oils, solvents, acids, caustic solutions and waste materials, including used batteries, shall be plainly labeled and stored in a manner which will prevent the entry of these materials into waters of the State, including ground waters. Storage shall be in a manner that will prevent entry into State waters by overfilling, tipping, rupture, or other accidents within the storage area.
- (17) All metal finishing chemical solution, caustic wash, and rinse-water tanks shall be plainly labeled and stored in such a manner so as to prevent introduction of spills into surface waters. Any intercepted chemical spill shall be recycled back to the appropriate chemical solution tank or disposed of. The spilled material must be handled, recycled or disposed of in such manner as to prevent its discharge into surface waters.
- (18) The mixing of paints and solvents shall be carried out in locations and under conditions such that no spill shall enter surface waters.
- (19) Drip pans or other protective devices shall be required for all paint mixing and solvent transfer operations, unless the mixing operation is carried out in controlled areas away from storm drains, surface waters, shorelines and piers. Drip pans, drop cloths or tarpaulins shall be used whenever paints and solvents are mixed. Sorbents must be on hand to soak up liquid spills. Paints and solvents shall not be mixed in areas where spillage would have direct access to surface waters unless containment measures are employed.

- (20) Paint and solvent spills shall be treated as oil spills and shall be prevented from reaching storm drains and subsequent discharge into surface waters.
- (21) The amount of paint stored within the marine railway area(s), on a lighter's floor or at other industrial areas shall be kept to a minimum.
- (22) Sufficient numbers of trash receptacles shall be provided throughout industrial areas at the facility. The receptacles shall be emptied as necessary to prevent trash from entering surface waters.
- (23) Leaking connections, valves, pipes, and hoses carrying wastewater or potable water shall be replaced or repaired immediately. Hose-connections to vessels and to receiving lines or containers shall be tightly connected and leak free.
- (24) Prior to hose testing, spent abrasives, paint residues, and other debris from the area of the marine railways and other active industrial areas shall be removed to prevent pollutants from entering surface waters.
- (25) Floatable and low density wastes such as wood and plastic, as well as miscellaneous trash such as paper, insulation, and packaging, etc., shall be removed from the travel-lift's concrete pad and marine railways' carriage(s) and underlying surfaces before launching or receiving vessels.
- (26) Uncontaminated bilge and ballast or oil contaminated bilge and ballast treated by an onboard oil/water separator may be discharged to State waters. Any other contaminated bilge and ballast shall not be discharged except as limited by Part I Effluent Limitations.
- (27) All vessels that are hauled shall be stationed beyond the normal high tidal zone. In the event of vessel overhang during abnormally high tides, all exterior abrasive/water blasting and coating work on the overhanging portion of the vessel shall be discontinued. Exterior work on vessels will not be in areas that extend beyond the length of the marine railway, unless appropriate precautions are taken to prevent discharge of pollutants into surface waters.
- (28) Launching time intervals shall not be considered as a rationale for not cleaning the travel-lift's concrete pad or marine railways' carriages.
- (29) Innovative measures for collecting abrasives may be presented for evaluation.

- (30) Material (spent abrasives, paint chips, etc.) shall be cleaned up from the area in the vicinity of marine railways before the incoming tide.
- (31) Vessels which have been fitted to collect gray water, either with sewage or separately, shall not discharge the gray water into surface waters.
- (32) For all vessels other than Vessels of the Armed Forces, as defined by the Uniform National Discharge Standards (40 CFR Part 1700), the in-water cleaning of a vessel's submerged hull (underwater ship husbandry, scamping, etc.) coated with ablative anti-foulant (AF) and anti-corrosion (AC) paints is prohibited.

b. Reporting

Beginning on the effective date of this permit, the permittee shall submit quarterly (1/3 Months) on a calendar year (CY) basis, in accordance with the schedule provided below, a detailed report certifying compliance or noncompliance with all conditions of the BMP's pertaining to piers, wet slips, marine railways (Outfalls 008/908, 009/909) and their underlying surfaces, areas of travel-lift operations including the adjacent gravel area designated for vessel washing/rinsing (Outfall 101), areas associated with vessel haul systems (Outfall 001) and equipment, and other upland (Outfall 002) or shore-side work areas where industrial activities may occur.

The report shall be legible, include weekly audit checklists for the areas noted above, and provide narrative description of observations of non-compliance and corrective actions taken to return to compliance with the permit's BMPs. The weekly audits shall be conducted by personnel not routinely associated with the aforementioned activities.

The BMP Compliance Report Form is Attachment A to the permit and shall be submitted per the schedule below:

First CY Quarter (January 1 - March 31);
Second CY Quarter (April 1 - June 30);
Third CY Quarter (July 1 - September 30); and
Fourth CY Quarter (October 1 - December 31).

8. Process Wastewaters - Outfalls 101, 008, and 009

- a. For the purpose of this permit, process wastewater related to hull work shall be any water used on a vessel's hull for any purpose regardless of application pressure, including but not limited to the activities of removing marine salts, sediments, marine growth, hull coatings and paint, or other hull, weather deck, or superstructure cleaning activities using water such as preparing those areas for inspection or work (e.g., cutting, welding, grinding, etc.).

- b. Process wastewaters associated with hull preparation activities at outfalls 101, 008, and 009, shall be segregated from storm water runoff to the maximum extent practicable. If defined process wastewaters are generated during storm events the resulting discharges are subject to the following conditions:
- (1) If defined process wastewater activities occur and continue during any storm event(s), the entire commingled volume is a defined process wastewater subject to Part I.A.3. and Part I.A.7. chemical monitoring, and effluent limitations and pollutant management requirements.
 - (2) If activities generating a defined process wastewater cease at the onset of a storm event, only that volume of commingled wastewater realized prior to reaching the defined threshold of a representative storm event (measurable, Part I.D.1.a.) is considered to be a defined process wastewater subject to Part I.A.3. and Part I.A.7. chemical monitoring, and effluent limitations and pollutant management requirements.
- c. Unless identified in the permit application, the use of detergents, surfactants, or other additives is prohibited unless appropriate means are provided to collect those potential contaminants for proper disposal.
- d. Process Wastewater Generation, Description and Management Report
- (1) **Using Attachment B, a Process Wastewater Generation, Description, and Management Report shall be prepared and submitted to the DEQ's PRO once every three months (quarterly) on a calendar year (CY) basis.** This permit term report will detail and describe how defined process wastewaters were generated and managed at the designated areas associated with the travel-lift (outfall 101) and both marine railways (outfalls 008, 009) during the preceding three-month period, across the term of this permit.
1/3 Months = See Part I.B.7.b.
 - (2) In addition to the point source sampling that is required by Part I.A.7. (008/009) of this permit, the following information shall be reported for outfalls 101, 008 and 009 to detail the number and types of activities leading to the generation of process wastewaters at all designated vessel maintenance locations. **This information shall be logged at the facility and reported on Attachment B, which shall accompany the Quarterly BMP reports required by Part I.B.7.b., above.**

- (a) size and type of vessel;
 - (b) estimate of hull area serviced, measured in square feet, and description of existing coating's appearance (e.g., depleted, serviceable, recently coated, etc.) and extent of fouling prior to servicing (e.g., none, light, moderate, severe);
 - (c) scope of work performed, number of pressure-washing units, and wand-tip pressure(s) employed to achieve desired results;
 - (d) description of visual appearance of wastewater(s) and BMPs or other operational controls employed to minimize wastewater discharge volumes; and
 - (e) the total estimated volume(s) of final wastewaters generated at all probable locations where process wastewaters are generated.
- (3) To enhance the report, and for additional clarity of the information presented in Attachment B, the permittee may also include digital photographs, facility logs, final wastewater calculations, contractor invoices, or other similar documentation serving to verify how defined process wastewaters are generated and handled during the term of this permit, in lieu of discharge to surface waters.
- e. Process Wastewaters and Non-Storm Water Discharges - Outfalls 101, 008, 009
- (1) For Outfalls 001 and 101 - Operational Area(s) Associated with Travel-Lift
 - (a) Designate a specific area, or areas, in proximity to the waterfront concrete pad (Outfall 001) where vessels hauled by the travel-lift will be rinsed or pressure-washed using fresh water, without or in combination with added abrasive materials (e.g., The Farrow System[®]), prior to movement to other locations at the facility.
 - (b) Develop new control measures, or enhance existing BMPs specific to the rinsing or pressure-washing of vessel hulls at the area(s) designated above (Outfall 101), such that the potential for point source discharges of process wastewaters to surface waters will be minimized to the maximum extent practicable.
 - (c) **Prepare and submit a report to the DEQ's PRO.** This report, at a minimum, shall contain the following information:

- i. location(s) of each designated vessel maintenance area identified in Part I.B.8.e(1)(a), above;
- ii. description of each new or enhanced BMP and how those control measures will achieve the goal of minimizing discharges of process wastewaters at outfall 101;
- iii. the date when the new BMPs or control measure(s) will be implemented; and
- iv. if the installation of new materials or construction of innovative collection or wastewater recycling or treatment systems are proposed, provide a schedule that identifies key dates in those proposed actions and ensure that the requirements of Part I.B.14. of this permit are met.

(2) For Outfalls 008 and 009 - Operational Area(s) Associated with Conventional Marine Railways

- (a) Develop protocols and procedures for the regular collection of representative samples of process wastewater(s) and submit those plans to DEQ's PRO for review and comment.
- (b) Develop new, or enhance existing BMPs, specific to the rinsing or pressure-washing of vessel hulls at each marine railway, such that final discharge volume(s) of process wastewater(s) to surface waters are minimized, to the maximum extent practicable.
- (c) When a facility has two outfalls that discharge substantially identical effluents, based on similarities of the industrial activities, significant materials, size of drainage areas, and storm water management practices occurring within the drainage areas of the outfalls, the permittee may test the effluent of one outfall and report that the quantitative data also apply to the substantially identical outfall(s), provided that:
 - i. the representative outfall determination has received concurrence from DEQ's PRO prior to initiating sampling required by Part I.A.7.;
 - ii. the permittee includes in the storm water pollution prevention plan (SWPPP) a description of the location of the non-storm water outfalls and explains,

in detail, how and why those outfalls release substantially identical effluents; and

- iii. information provided on Attachments A and B adequately details all industrial activities for each marine railway location, as separate entries.
 - (d) **Chemical monitoring at outfalls 008 and 009, required by Part I.A.7., shall begin no later than January 1, 2016, with the first DMR due no later than January 10, 2017, to continue across the term of this permit.**
- (2) **Within 90 days from the effective date of this permit, information, plans, designations, and determinations required of the permittee by Parts I.B.8.e.(1) and I.B.8.e.(2), shall be submitted to the DEQ's PRO for review and comment.**

All Part I.B.8.e. Reports Due at the PRO:

No later than April 10, 2015.

- (3) **Rinsing or Flushing of Vessel Propulsion Systems**
- (a) The flushing of vessel propulsion systems shall be limited to properly functioning outboard motors, inboard engines, and lower propulsion units. Engines or motors in a damaged condition or in a repair status shall not be washed, rinsed or flushed at outfalls 101, 008, 009, or other areas associated with travel-lift activities (Outfalls 001 and 002), but moved to a designated location and managed in a manner where potentially contaminated wastewaters can be collected for proper off-site disposal, in lieu of direct discharge to surface waters.
 - (b) Identify vessel rinsing and propulsion system flushing activities in the SWPPP as allowable non-storm water discharges, in addition to describing management practices to be imposed and maintained during these activities (Part I.D.1.g.).
9. Tributyltin (TBT) Use Prohibition
- The removal and/or application (hereafter referred to as use) of hull coatings, and/or other materials/substances or structures which may contain the biocide tributyltin, or its derivatives, are all prohibited at this permitted facility.
10. Discharges to Surface Waters in the Chesapeake Bay Watershed
- a. Owners of facilities in the Chesapeake Bay watershed shall monitor their facility's storm water and process

wastewater discharges for total Kjeldahl nitrogen (TKN), nitrite plus nitrate (NO₂+NO₃), total nitrogen (TN), total phosphorus (TP) and total suspended solids (TSS) to characterize the contributions from their facility's specific industrial sector for these parameters.

Samples shall be collected and analyzed in accordance with Part I.A. of this permit for all affected outfalls. Monitoring results shall be reported in accordance with Parts I.B.5. and I.B.10., and retained in accordance with Part II.B. of this permit. Monitoring periods for each discharge point-source are specified below.

- (1) For storm water discharges, samples required by Part I.A.1. (001) shall be collected during each of the first four semi-annual monitoring periods (e.g., across the first two years of permit coverage).
- (2) For process wastewater discharges, samples required by Part I.A.7. (008 or 009) shall be collected during each calendar year (CY) across the entire term of this permit beginning January 1, 2016.
- (3) Monitoring for TSS shall continue for the entire permit term at outfalls 001, 008, and 009 as this parameter is used to verify imposition of BMPs and other control measures required by this permit for ongoing industrial activities.

b. Chesapeake Bay TMDL Wasteload Allocations and Chesapeake Bay TMDL Action Plans

- (1) EPA's Chesapeake Bay TMDL (December 29, 2010) includes wasteload allocations for VPDES permitted industrial storm water facilities as part of the regulated storm water aggregate load. EPA used data submitted by Virginia with the Phase I Chesapeake Bay TMDL Watershed Implementation Plan (WIP), including the number of industrial storm water permits per county and the number of urban acres regulated by industrial storm water permits, as part of their development of the aggregate load. Aggregate loads for industrial storm water facilities were appropriate because actual facility loading data were not available at that time to develop individual facility wasteload allocations.

Virginia estimated the loadings from industrial storm water facilities using actual and estimated facility acreage information, and TP, TN, and TSS loading values from the Northern Virginia Planning District Commission (NVPDC) Guidebook for Screening Urban Nonpoint Pollution Management Strategies, prepared for the Metropolitan Washington Council of Governments (Annandale, Virginia. November, 1979).

The loading values used were as follows:

Total Phosphorus:

High (80%) imperviousness industrial; 1.5 lb/ac/yr

Total Nitrogen:

High (80%) imperviousness industrial; 12.3 lb/ac/yr

Total Suspended Solids:

High (80%) imperviousness industrial; 440 lb/ac/yr

The actual facility area information, and the TP, TN and TSS data collected for this permit will be used by DEQ to quantify the nutrient and sediment loads from VPDES permitted industrial storm water facilities, and will be submitted to EPA to aid them in further refinements to their Chesapeake Bay TMDL model. The loading information will also be used by DEQ to determine any additional load reductions needed for industrial storm water facilities for the next reissuance of this permit.

(2) Data Analysis and Chesapeake Bay TMDL Action Plans

The permittee shall analyze the nutrient and sediment data collected in accordance with Part I.B.10.a. to determine if additional action is needed for this permit term. The permittee shall average the data collected at the facility for each of the pollutants of concern (POC) (e.g., TP, TN and TSS) and compare the results to the loading values for TP, TN and TSS presented in Part I.B.10.b.(1). To calculate the facility's loadings, the permittee shall use either the actual annual average rainfall data for the facility location (in inches/year) or the Virginia annual average rainfall of 44.3 inches/year. The following formula, or a site specific DEQ-approved calculation, shall be used to determine the loading value:

Equation (1)

$$L = 0.226 \times R \times C$$

where:

L = the Pollutant of Concern (POC) loading value (lb/acre/year)

C = the POC average concentration of all facility samples (mg/L)

0.226 = unit conversion factor

R = annual runoff (in/yr), calculated as:

$$R = P \times P_j \times R_v$$

where:

- P = annual rainfall (in/yr) [use the Virginia annual average of 44.3 in/yr, or site specific annual rainfall for your area of the State]
- P_j = the fraction of annual events that produce runoff (usually 0.9)
- R_v = the runoff coefficient, which can be expressed as: $R_v = 0.05 + (0.9 \times I_a)$
- I_a = the impervious fraction [the ratio of facility impervious area to the total facility area] or,
- I_a = AREA IMPERVIOUS / AREA TOTAL

Substituting in Equation (1):

Equation (2)

$$L = 0.226 \times P \times P_j \times (0.05 + [0.9 \times I_a]) \times C$$

(3) Calculations and Required Actions

- (a) If the calculated facility loading value for TP, TN or TSS is less than the corresponding loading value presented in Part I.B.10.b.(1) of this permit, then the calculations demonstrating that no reduction is necessary **shall be submitted within 90 days from the end of the second year's monitoring period.** The calculations shall include a site map with the total site area, the areas associated with industrial activity and the total impervious area.
- (b) If the calculated facility loading value for TP, TN or TSS exceeds the corresponding loading value presented in Part I.B.10.b.(1) of this permit, then the permittee shall develop and submit a Chesapeake Bay TMDL Action Plan to DEQ for review and approval. The plan shall include a site map with the total site area, the areas associated with industrial activity and the total impervious area. The permittee shall implement the applicable elements of the approved plan over the remaining term of this permit and achieve all the necessary reductions by June 30, 2024. **The plan shall be submitted within 90 days from the end of the second year's monitoring period.** The action plan shall include:
- (i) A determination of the total pollutant load reductions for TP, TN and TSS (as appropriate) necessary to reduce the annual loads from industrial activities. This shall be determined by calculating

the difference between the loading values listed in Part I.B.10.b.(1) and the average of the sampling data for TP, TN or TSS (as appropriate) for the entire facility. The reduction applies to the total difference calculated for each pollutant of concern;

(ii) The means and methods, such as management practices and retrofit programs, that will be utilized to meet the required reductions determined in Part I.B.10.b.(3)(b)(i), and a schedule to achieve those reductions by June 30, 2024. The schedule should include annual benchmarks to demonstrate the ongoing progress in meeting those reductions;

(iii) The permittee may consider utilization of any pollutant trading or offset program in accordance with §§ 62.1-44.19:20 through 62.1-44.19:23 of the Code of Virginia, governing trading and offsetting, to meet the required reductions.

(4) Permittees required to develop and implement a Chesapeake Bay TMDL Action Plan shall submit an annual report to the department by June 30th of each year describing the progress in meeting the required reductions.

11. Discharges Through a Regulated MS4 to Waters Subject to the Chesapeake Bay TMDL.

In addition to the requirements of this permit, any facility with industrial activity discharges through a regulated MS4 that is notified by the MS4 operator that the locality has adopted ordinances to meet the Chesapeake Bay TMDL shall incorporate measures and controls into their Storm Water Pollution Prevention Plan (SWPPP) to comply with applicable local TMDL ordinance requirements.

12. Expansion of Facilities that Discharge to Waters Subject to the Chesapeake Bay TMDL.

Virginia's Phase I Chesapeake Bay TMDL Watershed Implementation Plan (November 29, 2010), states that the nutrient and sediment wasteloads from any expansion of an existing permitted facility discharging storm water in the Chesapeake Bay watershed cannot exceed the nutrient and sediment loadings that were discharged from the expanded portion of the land prior to the land being developed for the expanded industrial activity.

- a. For any industrial activity area expansions (e.g., construction activities, including clearing, grading and excavation activities) that commence on or after July 1, 2014, the permittee shall document in the SWPPP the information and calculations used to determine the nutrient and sediment loadings discharged from the expanded land area prior to the land being developed, and the measures and controls that were employed to meet the no net increase of storm water nutrient and sediment load as a result of the expansion of the industrial activity. Any land disturbance that is exempt from permitting under the VPDES construction storm water general permit regulation (9VAC25-880) is exempt from this requirement.
- b. The permittee may use the VSMP water quality design criteria to meet the requirements of Part I.B.12.a. of the permit. Under this criteria, the total phosphorus load shall not exceed the greater of:
 - (1) The total phosphorus load that was discharged from the expanded portion of the land prior to the land being developed for the industrial activity, or
 - (2) 0.41 pounds per acre per year.Compliance with the water quality design criteria may be determined utilizing the Virginia Runoff Reduction Method or another equivalent methodology approved by the Board. Design specifications and pollutant removal efficiencies for specific BMPs can be found on the Virginia Storm Water BMP Clearinghouse website at <http://www.vwrrc.vt.edu/swc> .
- c. The permittee may consider utilization of any pollutant trading or offset program in accordance with §§ 62.1-44.19:20 through 62.1-44.19:23 of the Code of Virginia, governing trading and offsetting, to meet the no net increase requirement.

13. Facility Closure Plan

If the temporary or permanent closure of the facility is anticipated during the term of this permit, the permittee shall submit to the DEQ's PRO a detailed closure plan for the existing industrial activities. The Facility Closure Plan shall address entire facility closure including, but not limited to the following, as a minimum:

- a. verification of elimination of sources and/or alternate treatment scheme;
- b. treatment, removal and final disposition of residual wastewater and solids;
- c. removal/demolition/disposal of structures, equipment, piping and appurtenances;
- d. site grading, and erosion and sediment control;
- e. restoration of site vegetation;

- f. access control;
- g. fill materials;
- h. and proposed land use (post-closure) of the site.

The plan should contain proposed dates for beginning and completion of the work. The plan must be approved by the DEQ's PRO prior to implementation. Once approved, the plan shall become an enforceable part of this permit and closure shall be implemented in accordance with the approved plan. No later than 14 calendar days following closure completion, the permittee shall submit to the DEQ's PRO written notification of the closure completion date and a certification of closure in accordance with the approved plan.

14. Industrial Concept Engineering Report

Prior to constructing any wastewater treatment works, the permittee shall submit a Concept Engineering Report (CER) to the DEQ's PRO. Written approval from the DEQ shall be secured prior to constructing any wastewater treatment works. The permittee shall construct the wastewater treatment works in accordance with the approved CER. No later than 14 days following completion of construction of any project for which a CER has been approved, written notification shall be submitted to the DEQ's PRO certifying that, based on an inspection of the project, construction was completed in accordance with the approved CER. The written notification shall be certified by a professional engineer licensed in the Commonwealth of Virginia or signed in accordance with Part II.K. of this permit. The installed wastewater treatment works shall be operated to achieve design treatment and effluent concentrations. Approval by the DEQ does not relieve the owner of the responsibility for the correction of design or operational deficiencies. Noncompliance with the CER shall be deemed a violation of this permit.

C. BIOLOGICAL TOXICITY INFORMATION SPECIFIC TO PERMIT REAPPLICATION

1. Biological Monitoring

In accordance with Part II.M. of this permit, the permittee shall conduct the following acute toxicity tests for the purpose of completing the permit application due 180 days prior to the expiration date of this permit.

a. Specific Requirements Outfalls 008 or 009

The permittee shall collect a grab sample of final effluent from outfalls 008 or 009 in accordance with Parts I.A.7. and I.B.8.e.(2)(c) of this permit, based on the similarity of industrial activities performed at these point source locations. The grab sample for toxicity testing shall be taken at the same time as monitoring for those chemical parameters required by Part I.A.7. of this permit. The acute tests to use for discharges to salt water are:

48-Hour Static Acute test using Americamysis bahia:

48-Hour Static Acute test using Cyprinodon variegatus

b. These acute tests shall be performed with a minimum of 5 dilutions, derived geometrically, for the calculation of a valid LC₅₀. Express the results as TU_a (Acute Toxic Units) by dividing 100/ LC₅₀ for reporting.

Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3.

c. The test dilutions shall be able to determine compliance with the following endpoints:

(1) Outfalls 008 or 009: Acute LC₅₀ of $\geq 100\%$, equivalent to a TU_a of ≤ 1.0

d. If any of the biological screening tests are invalidated, an additional test shall be conducted within thirty (30) days of notification. If there is no discharge during this 30-day period, a sample must be taken during the first qualifying discharge.

e. The permittee shall submit the following information with the results of the toxicity tests for outfalls 008 or 009:

- (1) the estimated effluent flow at the time of sampling;
- (2) an estimate of the total volume of process wastewater discharged through the sampled outfall during the discharge event;
- (3) the time at when the discharge event began, the time when the effluent was sampled, and the overall duration of the discharge event which was sampled; and
- (4) the process wastewater-specific information required by Part I.B.8.d.(2) of this permit.

2. Reporting Schedule

The permittee shall incorporate complete copies of all toxicity tests and the original final results and reports into the permit application due at the DEQ's PRO 180 days before the expiration date of this permit, in accordance with Part II.M. of this permit. A complete report must contain a copy of all laboratory benchsheets, certificates of analysis, and all chains of custody.

D. STORM WATER MANAGEMENT CONDITIONS

1. General Storm Water Special Conditions

a. Sample Type

For all storm water monitoring required in Part I.A. or other applicable sections of this permit, a minimum of one grab sample shall be taken. Unless otherwise specified, all such samples shall be collected from the discharge resulting from a storm event that occurs at least 72 hours from the previously measurable storm event (a "measurable storm event" is defined as a storm event that results in an actual discharge from the site). The required 72-hour storm event interval is waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first three (3) hours of the discharge, and the permittee shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or non-process water, then where practicable, permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

b. Sampling Methodology for Specific Outfalls - Outfall 001

The permittee shall develop storm water sampling protocols specific to the waterfront concrete pad associated with the operation of the site's travel lift.

- (1) **The storm water sampling protocol(s) required by this condition shall be submitted to the DEQ's PRO for review and concurrence no later than 90 days from the effective date of this permit (no later than April 10, 2015).** Once the DEQ's PRO agrees to the sampling protocols proposed for outfall 001, the storm water sampling protocols and procedures, and related storm water management practices, shall all be incorporated into the facility's O&M manual required by Part I.B.3.
- (2) Due to the nature of the effluent discharged at this outfall (potentially contaminated storm water associated with a regulated industrial activity), the following shall be required when obtaining samples required by Parts I.A.1. for outfall 001:

- (a) At the time of sampling, the permittee shall ensure that the effects of tidal influences are kept to an absolute minimum. This can be achieved by:
- i. sampling at low tide; and/or
 - ii. sampling at a representative point which has been demonstrated to be free of tidal influences.

(b) In the event that sampling of an outfall is not possible due to the absence of effluent flow during a particular testing period, the permittee shall provide written notification to the DEQ's PRO with the DMR for the month following the period in which samples were to be collected.

- (3) **Part I.A. sampling of storm water runoff from outfall 001 shall begin no later than July 1, 2015, with the first DMR due no later than January 10, 2016.**

c. Recording of Results

For each measurement or sample taken pursuant to the storm event monitoring requirements of this permit, the permittee shall record and report with the Discharge Monitoring Reports (DMRs) the following information:

- (1) the date and duration (in hours) of the storm event(s) sampled;
- (2) the rainfall total (in inches) of the storm event which generated the sampled discharge; and
- (3) The duration between the storm event sampled and the end of the previous measurable storm event.

d. Sampling Waiver

When a permittee is unable to collect storm water samples required in Part I.A. or other applicable sections of this permit within a specified sampling period due to adverse climatic conditions, the permittee shall collect a substitute sample from a separate qualifying event in the next period and submit these data along with the data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make collection of a sample impracticable (drought, extended frozen conditions, etc.).

e. Representative Discharges

If the facility has two or more outfalls that discharge substantially identical effluent, based on similarities of the industrial activities, significant materials, size of drainage areas, and storm water management practices occurring within the drainage areas of the outfalls, the permittee may conduct monitoring of the effluent of just one of the outfalls and report that the observations also apply to the substantially identical outfall(s). The substantially identical outfall monitoring provisions apply to quarterly visual monitoring, benchmark monitoring and impaired waters monitoring. The substantially identical outfall provisions are not allowable for numeric effluent limits' monitoring.

The permittee shall include the following information in the SWPPP:

- (1) the location of the outfalls;
- (2) why the outfalls are expected to discharge substantially identical effluents, including evaluation of monitoring date, where available; and
- (3) estimates of the size of the drainage area (in square feet) for each of the outfalls.

The representative outfall determination shall be reviewed and approved by DEQ' PRO prior to implementation.

f. Quarterly Visual Examination of Storm Water Quality

Quarterly visual examinations of storm water quality are not a requirement of this permit for outfalls 001, 002, 908 or 909.

g. Authorized Non-Storm Water Discharges

- (1) The following non-storm water discharges are authorized by this permit provided the non-storm water component of the discharge is in compliance with g. (2) below:
 - (a) discharges from fire fighting activities;
 - (b) fire hydrant flushings;
 - (c) potable water including water line flushings;
 - (d) uncontaminated condensate from air conditioners, coolers and other compressors and from the outside storage of refrigerated cases or liquids;
 - (e) irrigation drainage;
 - (f) landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with manufacturer's directions;

- (g) pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
 - (h) routine external building wash-down which does not use detergents;
 - (i) uncontaminated ground water or spring water;
 - (j) foundation or footing drains where flows are not contaminated with process materials;
 - (k) incidental windblown mist from cooling towers collecting on rooftops or nearby portions of the facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains); and,
 - (l) those permitted non-storm water discharges identified in Part I.B.8. of this permit.
- (2) Except for flows from fire fighting activities, the SWPPP must include:
- (a) identification of each allowable non-storm water source;
 - (b) the location where the non-storm water is likely to be discharged; and
 - (c) descriptions of appropriate BMPs for each source.
- (3) If mist blown from cooling towers is included as one of the allowable non-storm water discharges from the facility, the permittee must specifically evaluate the discharge for the presence of chemicals used in the cooling tower. The evaluation shall be included in the SWPPP.

h. Water Quality Protection

The discharges authorized by this permit shall be controlled as necessary to meet applicable water quality standards. DEQ expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards.

i. Corrective Actions

(1) Data Exceeding Benchmark Concentration Values

- (a) If the benchmark monitoring result exceeds the benchmark concentration value for that parameter (Part I.D.2.), the permittee shall review the SWPPP and modify it as necessary to address any deficiencies that caused the exceedance. Revisions to the SWPPP shall be completed within 30 days after an exceedance is discovered. When control measures need to be modified or added (distinct from regular preventive maintenance of existing control

measures described in Part I.D.3.c (Maintenance), implementation shall be completed before the next anticipated storm event if possible, but no later than 60 days after the exceedance is discovered, or as otherwise provided or approved by the DEQ PRO. In cases where construction is necessary to implement control measures, the permittee shall include a schedule in the SWPPP that provides for the completion of the control measures as expeditiously as practicable, but no later than three years after the exceedance is discovered. Where a construction compliance schedule is included in the SWPPP, the plan shall include appropriate nonstructural and temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure. Any control measure modifications shall be documented and dated, and retained with the SWPPP, along with the amount of time taken to modify the applicable control measure or implement additional control measures.

(b) Natural Background Pollutant Levels

If the concentration of a pollutant exceeds a benchmark concentration value (Part I.D.2.), and the permittee determines that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background, corrective action is not required provided that:

- (i) the concentration of the benchmark monitoring result is less than or equal to the concentration of that pollutant in the natural background;
- (ii) The permittee documents and maintains with the SWPPP the supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. The supporting rationale shall include any data previously collected by the facility or others (including literature studies) that describe the levels of natural background pollutants in the facility's storm water discharges; and
- (iii) The permittee notifies the DEQ PRO on the DMR that the benchmark exceedances are attributable solely to natural

background pollutant levels. Natural background pollutants include those substances that are naturally occurring in soils or groundwater. Natural background pollutants do not include legacy pollutants from earlier activity on the facility's site, or pollutants in run-on from neighboring sources which are not naturally occurring.

(2) Corrective Actions

The permittee shall take corrective action whenever:

- (a) Routine facility inspections, comprehensive site compliance evaluations, inspections by local, state or federal officials, or any other process, observation or event result in a determination that modifications to the storm water control measures are necessary to meet the permit requirements; or
- (b) There is any exceedance of an effluent limitation (including coal pile runoff), or TMDL wasteload allocation; or
- (c) The DEQ's PRO determines, or the permittee becomes aware, that the storm water control measures are not stringent enough for the discharge to meet applicable water quality standards. The permittee shall review the SWPPP and modify it as necessary to address any deficiencies. Revisions to the SWPPP shall be completed within 30 days following the discovery of the deficiency. When control measures need to be modified or added, distinct from regular preventive maintenance of existing control measures described in Part I.D.3.c. (Maintenance), implementation shall be completed before the next anticipated storm event if possible, but no later than 60 days after the deficiency is discovered, or as otherwise provided or approved by the DEQ PRO. In cases where construction is necessary to implement control measures, the permittee shall include a schedule in the SWPPP that provides for the completion of the control measures as expeditiously as practicable, but no later than three years after the deficiency is discovered. Where a construction compliance schedule is included in the SWPPP, the plan shall include appropriate nonstructural and/or temporary controls to be implemented in the affected portion(s) of the facility

prior to completion of the permanent control measure. The amount of time taken to modify a control measure or implement additional control measures shall be documented in the SWPPP. Any corrective actions taken shall be documented and retained with the SWPPP.

Reports of corrective actions shall be signed in accordance with Part II.K. of this permit (Signatory Requirements).

(3) Follow-up Reporting

If at any time monitoring results indicate that discharges from the facility exceed an effluent limitation or a TMDL wasteload allocation, or the DEQ PRO determines that discharges from the facility are causing or contributing to an exceedance of a water quality standard, immediate steps shall be taken to eliminate the exceedances in accordance with the above Part I.D.3.i.2 (Corrective actions). Within 30 calendar days of implementing the relevant corrective action(s) an exceedance report shall be submitted to the DEQ PRO. The following information shall be included in the report:

- (a) permit number;
- (b) facility name, address and location;
- (c) receiving water;
- (d) monitoring data from this event;
- (e) an explanation of the situation;
- (f) description of what has been done and the intended actions (should the corrective actions not yet be complete) to further reduce pollutants in the discharge; and
- (g) an appropriate contact name and phone number.

j. Releases of Hazardous Substances or Oil in Excess of Reportable Quantities

The discharge of hazardous substances or oil in the storm water discharge(s) from the facility shall be prevented or minimized in accordance with the SWPPP for the facility. This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117 and 40 CFR 302 or § 62.1-44.34:19 of the Code of Virginia. Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110, 40 CFR 117 or 40 CFR 302 occurs during a 24-hour period:

- (1) the permittee is required to notify the DEQ in accordance with the requirements of Part II.G. of this permit as soon as he or she has knowledge of the discharge;
- (2) where a release enters an adjacent Municipal Separate Storm Sewer System (MS4; e.g., City of Portsmouth), the permittee shall also notify the owner of the MS4; and
- (3) the SWPPP required by this permit must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.

k. Co-Located Industrial Activities

- (1) If the facility has industrial activities occurring on-site which are described by any of the activities identified in the application submitted for reissuance of this permit, those industrial activities are considered to be co-located industrial activities. Storm water discharges from co-located industrial activities are authorized by this permit, provided that the permittee complies with any and all additional pollution prevention plan and monitoring requirements set forth elsewhere in this permit, applicable to that particular co-located industrial activity. The permittee shall determine which additional pollution prevention plan and monitoring requirements are applicable to the co-located industrial activity by examining the narrative descriptions of each coverage section.
- (2) Sector-specific monitoring requirements and limitations are applied discharge by discharge at facilities with co-located activities. Where storm water from the co-located activities are commingled, the monitoring requirements and limitations are additive. Where more than one numeric limitation for a specific parameter applies to a discharge, compliance with the more restrictive limitation is required. Where monitoring requirements for a monitoring period overlap, the permittee may use a single sample to satisfy both monitoring requirements.

l. Additional Requirements for Salt Storage

Storage piles of salt or piles containing salt used for deicing or other commercial or industrial purposes shall be enclosed or covered to prevent exposure to precipitation. The permittee shall implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. All

salt storage piles shall be located on an impervious surface. All runoff from the pile, and/or runoff that comes in contact with salt, including under-drain systems, shall be collected and contained within a bermed basin lined with concrete or other impermeable materials, or within an underground storage tank(s), or within an above ground storage tank(s), or disposed of through a sanitary sewer (with the permission of the treatment facility). A combination of any or all of these methods may be used. In no case shall salt contaminated storm water be allowed to discharge directly to the ground or to surface waters.

2. Benchmark Concentration Values

The following parameters have benchmark concentration values for all storm water outfalls listed in Part I.A. of the permit.

<u>PARAMETERS</u>	<u>BENCHMARK VALUES</u>	
Total Suspended Solids	100	mg/l
Copper	18	µg/l
Zinc	120	µg/l

3. Storm Water Pollution Prevention Plan (SWPPP)

A SWPPP for the facility was required to be developed and implemented under the previous permit. The existing SWPPP shall be reviewed and modified, as appropriate, to conform to the requirements of this section.

Permittees shall implement the provisions of the SWPPP as a condition of this permit.

The SWPPP requirements of this permit may be fulfilled, in part, by incorporating by reference other plans or documents such as a spill prevention control and countermeasure (SPCC) plan developed for the facility under Section 311 of the Clean Water Act, or best management practices (BMP) programs otherwise required for the facility, provided that the incorporated plan meets or exceeds the plan requirements of Part I.D.3.b. (Contents of the Plan). All plans incorporated by reference into the storm water pollution prevention plan become enforceable under this permit. If a plan incorporated by reference does not contain all of the required elements of the SWPPP of Part I.D.3.b. the permittee shall develop the missing SWPPP elements and include them in the required plan.

a. Deadlines for Plan Preparation and Compliance

- (1) The facility shall update and implement any revisions to the SWPPP as expeditiously as practicable, but not later than 90 days from the effective date of the permit.

(2) Measures That Require Construction

In cases where construction is necessary to implement measures required by the plan, the plan shall contain a schedule that provides compliance with the plan as expeditiously as practicable, but no later than 3 years after the effective date of this permit. Where a construction compliance schedule is included in the plan, the schedule shall include appropriate nonstructural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure.

b. Contents of the Plan

The contents of the SWPPP shall comply with the requirements listed below and those in Part I.D.4. The plan shall include, at a minimum, the following items:

(1) Pollution Prevention Team

The plan shall identify the staff individuals by name or title that comprise the facility's storm water pollution prevention team. The pollution prevention team is responsible for assisting the facility or plant manager in developing, implementing, maintaining, revising, and ensuring compliance with the facility's SWPPP. Specific responsibilities of each staff individual on the team shall be identified and listed.

(2) Site Description

The plan shall include the following:

(a) Activities at the Facility

A description of the nature of the industrial activities at the facility.

(b) General Location Map

A general location map (e.g., USGS quadrangle or other map) with enough detail to identify the location of the facility and receiving waters within one mile of the facility.

(c) Site Map

A site map identifying the following:

- i. the size of the property (in acres);
- ii. the location and extent of significant structures and impervious surfaces (roofs, paved areas and other impervious areas);
- iii. locations of all storm water conveyances including ditches, pipes, swales, and inlets, and the directions of storm water flow (use arrows to show which ways storm water will flow);

- iv. locations of all existing structural and source control BMPs;
- v. locations of all surface water bodies, including wetlands;
- vi. locations of potential pollutant sources identified under Part I.D.3.b.(3);
- vii. locations where significant spills or leaks identified under Part I.D.3.b.(4) have occurred;
- viii. locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage or disposal of wastes; liquid storage tanks; processing and storage areas; access roads, rail cars and tracks; transfer areas for substances in bulk; and machinery;
- ix. locations of storm water outfalls and an approximate outline of the area draining to each outfall, and location of municipal storm sewer systems, if the storm water from the facility discharges to them;
- x. location and description of all non-storm water discharges;
- xi. location of any storage piles containing salt used for deicing or other commercial or industrial purposes;
- xii. locations and sources of run-on to the site from adjacent property where the run-on contains significant quantities of pollutants. The permittee shall include an evaluation with the SWPPP of how the quality of the storm water running onto the facility impacts the facility's storm water discharges; and
- xiii. location of all storm water monitoring points.

(d) Receiving Waters and Wetlands

The name of all surface waters receiving discharges from the site, including intermittent streams, dry sloughs, and arroyos. Provide a description of wetland sites that may receive discharges from the facility. If the facility discharges through a MS4, identify the MS4 operator, and the receiving water to which the MS4 discharges.

(3) Summary of Potential Pollutant Sources

The plan shall identify each separate area at the facility where industrial materials or activities are exposed to storm water. Industrial materials or activities include, but are not limited to: material handling equipment or activities, industrial machinery, raw materials, industrial production and processes, intermediate products, byproducts, final products, and waste products.

Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For each separate area identified, the description shall include:

(a) Activities in Area

A list of the activities (e.g., material storage, equipment fueling and cleaning, cutting steel beams); and

(b) Pollutants

A list of the associated pollutant(s) or pollutant constituents (e.g., crankcase oil zinc, sulfuric acid, cleaning solvents, etc.) for each activity. The pollutant list shall include all significant materials handled, treated, stored or disposed that have been exposed to storm water in the three years prior to the date this SWPPP was prepared or amended. The list shall include any hazardous substances or oil at the facility.

(4) Spills and Leaks

The SWPPP shall clearly identify areas where potential spills and leaks that can contribute pollutants to storm water discharges can occur and their corresponding outfalls. The plan shall include a list of significant spills and leaks of toxic or hazardous pollutants that actually occurred at exposed areas, or that drained to a storm water conveyance during the three-year period prior to the date this SWPPP was prepared or amended. The list shall be updated if significant spills or leaks occur in exposed areas of the facility during the term of the permit. Significant spills and leaks include releases of oil or hazardous substances in excess of reportable quantities, and may also include releases of oil or hazardous substances that are not in excess of reporting requirements.

(5) Sampling Data

The plan shall include a summary of existing storm water discharge sampling data taken at the facility. The summary shall include, at a minimum, any data collected during the previous permit term.

(6) Storm Water Controls

(a) Control measures shall be implemented for all the areas identified in Part I.D.3.b.(3) (Summary of Potential Pollutant Sources) to prevent or control pollutants in storm water discharges from the facility. All reasonable steps shall be taken to control or address the quality of discharges from the site that may not originate at the facility. The SWPPP shall describe the type, location and implementation of all Control measures for each area where industrial materials or activities are exposed to storm water. Selection of Control measures shall take into consideration:

- i. that preventing storm water from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from storm water;
- ii. control measures generally shall be used in combination with each other for most effective water quality protection;
- iii. assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures;
- iv. that minimizing impervious areas at the facility can reduce runoff and improve groundwater recharge and stream base flows in local streams (however, care must be taken to avoid groundwater contamination);
- v. flow attenuation by use of open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- vi. conservation or restoration of riparian buffers will help protect streams from storm water runoff and improve water quality; and

vii. treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

(b) Control Measures

The permittee shall implement the following types of Control measures to prevent and control pollutants in the storm water discharges from the facility unless it can be demonstrated and documented that such controls are not relevant to the discharges (e.g., there are no storage piles containing salt).

i. Good Housekeeping

The permittee shall keep clean all exposed areas of the facility that are potential sources of pollutants to storm water discharges. Typical problem areas include areas around trash containers, storage areas, loading docks, and vehicle fueling and maintenance areas. The plan shall include a schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers. The introduction of raw, final or waste materials to exposed areas of the facility shall be minimized to the maximum extent practicable. The generation of dust, along with off-site vehicle tracking of raw, final or waste materials, or sediments, shall be minimized to the maximum extent practicable.

ii. Eliminating and Minimizing Exposure

To the extent practicable, industrial materials and activities shall be located inside, or protected by a storm-resistant covering to prevent exposure to rain, snow, snowmelt, and runoff. Note: Eliminating exposure at all industrial areas may make the facility eligible for the "Conditional Exclusion" for No Exposure" provision of 9 VAC 25-31-120 E, thereby eliminating the need to have a permit.

iii. Preventive Maintenance

The permittee shall have a preventive maintenance program that includes

regular inspection, testing, maintenance and repairing of all industrial equipment and systems to avoid breakdowns or failures that could result in leaks, spill and other releases. This program is in addition to the specific BMP maintenance required under Part I.D.3.c. (Maintenance of Control Measures).

iv. Spill Prevention and Response Procedures
The plan shall describe the procedures that will be followed for preventing and responding to spills and leaks.

- preventive measures include barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
- Response procedures shall include notification of appropriate facility personnel, emergency agencies, and regulatory agencies, and procedures for stopping, containing and cleaning up spills. Measures for cleaning up hazardous material spills or leaks shall be consistent with applicable RCRA regulations at 40 CFR Part 264 and 40 CFR Part 265. Employees who may cause, detect or respond to a spill or leak shall be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals shall be a member of the Pollution Prevention Team;
- procedures for plainly labeling containers (e.g., used oil, spent solvents, fertilizers and pesticides, etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur; and
- contact information for individuals and agencies that must be notified in the event of a spill shall be included in the

SWPPP, and in other locations where it is readily available.

v. Routine Facility Inspections

Facility personnel who possess the knowledge and skills to assess conditions and activities that could impact storm water quality at the facility, and who can also evaluate the effectiveness of Control measures shall regularly inspect all areas of the facility where industrial materials or activities are exposed to storm water. These inspections are in addition to, or as part of, the comprehensive site evaluation required under Part I.D.2.d. At least one member of the Pollution Prevention Team shall participate in the routine facility inspections. The inspection frequency shall be specified in the plan based upon a consideration of the level of industrial activity at the facility, but shall be a minimum of quarterly unless more frequent intervals are specified elsewhere in the permit or written approval is received from the DEQ for less frequent intervals. At least once each calendar year, the routine facility inspection must be conducted during a period when a storm water discharge is occurring.

Any deficiencies with implementation of the SWPPP that are found shall be corrected as soon as practicable, but not later than within 30 days of the inspection, unless permission for a later date is granted in writing by the Director. The results of the inspections shall be documented in the SWPPP, and shall include, at a minimum:

- the inspection date and time;
- the name and signature of the inspector;
- weather information and a description of any discharges occurring at the time of the inspection;
- any previously unidentified discharges of pollutants from the site;

- any control measures needing maintenance or repairs;
- any failed control measures that need replacement;
- any incidents of noncompliance observed; and
- any additional control measures needed to comply with the permit requirements.

vi. Employee Training

The permittee shall implement a storm water employee training program for the facility. The SWPPP shall include a schedule for all types of necessary training, and shall document all training sessions and the employees who received the training. Training shall be provided for all employees who work in areas where industrial materials or activities are exposed to storm water, and for employees who are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance personnel, etc.). The training shall cover the components and goals of the SWPPP, and include such topics as spill response, good housekeeping, material management practices, BMP operation and maintenance, etc. The SWPPP shall include a summary of any training performed.

vii. Sediment and Erosion Control

The plan shall identify areas at the facility that, due to topography, land disturbance (e.g., construction, landscaping, site grading), or other factors, have a potential for soil erosion. The permittee shall identify and implement structural, vegetative, and/or stabilization Control measures to prevent or control on-site and off-site erosion and sedimentation. Flow velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel if the flows would otherwise create erosive conditions.

viii. Management of Runoff

The plan shall describe the storm water runoff management practices (i.e., permanent structural Control measures) for the facility. These types of Control measures are typically used to divert, infiltrate, reuse, or otherwise reduce pollutants in storm water discharges from the site. Structural Control measures may require a separate permit under § 404 of the CWA and the Virginia Water Protection Permit Program Regulation (9 VAC 25-210) before installation begins.

ix. Dust Suppression and Vehicle Tracking of Industrial Materials

The permittee shall implement control measures to minimize the generation of dust and off-site tracking of raw, final or waste materials. Storm water collected on site may be used for the purposes of dust suppression or for spraying stockpiles. Potable water, well water and uncontaminated reuse water may also be used for this purpose. There shall be no direct discharge to surface waters from dust suppression activities or as a result of spraying stockpiles.

c. Maintenance

The SWPPP shall include a description of procedures and a regular schedule for preventative maintenance of all control measures, and shall include a description of the back-up practices that are in place should a runoff event occur while a control measure is off-line. The effectiveness of nonstructural control measures shall also be maintained by appropriate means (e.g., spill response supplies available, personnel trained, etc.).

All control measures identified in the SWPPP shall be maintained in effective operating condition. Storm water control measures identified in the SWPPP shall be observed during active operation (i.e., during a storm water runoff event) to ensure that they are functioning correctly. Where discharge locations are inaccessible, nearby downstream locations shall be observed. The observations shall be documented in the SWPPP.

If site inspections required by Part I.D.3.b.(6)(b)(v) (Routine Facility Inspections) or Part I.D.3.d. (Comprehensive Site Compliance Evaluation) identify control measures that are not operating effectively, repairs or maintenance shall be performed before the

next anticipated storm event. If maintenance prior to the next anticipated storm event is not possible, maintenance shall be scheduled and accomplished as soon as practicable. In the interim, back-up measures shall be employed and documented in the SWPPP until repairs or maintenance is complete. Documentation shall be kept with the SWPPP of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair or replacement, and for repairs, date(s) that the BMP(s) returned to full function, and the justification for any extended maintenance or repair schedules.

d. Comprehensive Site Compliance Evaluation

The permittee shall conduct comprehensive site compliance evaluations at least once a year. The evaluations shall be done by qualified personnel who possess the knowledge and skills to assess conditions and activities that could impact storm water quality at the facility, and who can also evaluate the effectiveness of control measures. The personnel conducting the evaluations may be either facility employees or outside constituents hired by the facility.

(1) Scope of the Compliance Evaluation

Evaluations shall include all areas where industrial materials or activities are exposed to storm water, as identified in Part I.D.3.b.(3). The personnel shall evaluate:

- (a) industrial materials, residue or trash that may have or could come into contact with storm water;
- (b) leaks or spills from industrial equipment, drums, barrels, tanks or other containers that have occurred within the past three years;
- (c) off-site tracking of industrial or waste materials or sediment where vehicles enter or exit the site;
- (d) tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas;
- (e) evidence of, or the potential for, pollutants entering the drainage system;
- (f) evidence of pollutants discharging to surface waters at all facility outfalls, and the condition of and around the outfall, including flow dissipation measures to prevent scouring;

- (g) review of storm water related training performed, inspections completed, maintenance performed, quarterly visual examinations, and effective operation of control measures; and
 - (h) results of both visual and any analytical monitoring done during the past year shall be taken into consideration during the evaluation.
- (2) Based on the results of the evaluation, the SWPPP shall be modified as necessary (e.g., show additional controls on the map required by Part I.D.3.b.(2)(c); revise the description of controls required by Part I.D.3.b.(6) to include additional or modified control measures designed to correct problems identified). Revisions to the SWPPP shall be completed within 30 days following the evaluation, unless permission for a later date is granted in writing by the Director. If existing Control measures need to be modified or if additional Control measures are necessary, implementation shall be completed before the next anticipated storm event, if practicable, but not more than 60 days after completion of the comprehensive site evaluation, unless permission for a later date is granted in writing by the DEQ;
- (3) Compliance Evaluation Report
- A report shall be written summarizing the scope of the evaluation, name(s) of personnel making the evaluation, the date of the evaluation, and all observations relating to the implementation of the SWPPP, including elements stipulated in Part I.D.3.d.(1)(a) through (h) above. Observations shall include such things as: the location(s) of discharges of pollutants from the site; location(s) of previously unidentified sources of pollutants; location(s) of Control measures that need to be maintained or repaired; location(s) of failed Control measures that need replacement; and location(s) where additional Control measures are needed. The report shall identify any incidents of noncompliance that were observed. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the SWPPP and this permit. The report shall be signed in accordance with Part II.K. and maintained with the SWPPP.
- (4) Where compliance evaluation schedules overlap with routine inspections required under Part I.D.3.b.(6)(b)v., the annual compliance evaluation may be used as one of the routine inspections.

e. Signature and Plan Review

(1) Signature/Location

The SWPPP, including any revisions to the SWPPP to document any corrective actions taken as required by Part I.D.3.i, shall be signed in accordance with Part II.K., dated, and retained on-site at the facility covered by this permit in accordance with Part II.B.2. All other changes to the SWPPP, and other permit compliance documentation, must be signed and dated by the person preparing the change or documentation.

(2) Availability

The permittee shall retain a copy of the current SWPPP required by the permit at the facility, and it shall be immediately available to the DEQ, EPA, or the operator of an MS4 receiving discharges from the site at the time of any on-site inspection, or upon request.

(3) Required Modifications

The permittee shall modify the SWPPP whenever necessary to address any corrective actions required by Part I.D.3.i. Changes to the SWPPP shall be made in accordance with the corrective action deadlines in Part I.D.3.i., and shall be signed and dated in accordance with Part II.K.

The Director may notify the permittee at any time that the SWPPP, control measures, or other components of the facility's storm water program do not meet one or more of the requirements of this permit. The notification shall identify specific provisions of the permit that are not being met, and may include required modifications to the storm water program, additional monitoring requirements, and special reporting requirements. The permittee shall make any required changes to the SWPPP within 60 days of receipt of such notification, unless permission for a later date is granted in writing by the Director, and shall submit a written certification to the Director that the requested changes have been made.

f. Maintaining an Updated SWPPP.

(1) The permittee shall review and amend the SWPPP as appropriate whenever:

- (a) there is construction or a change in design, operation, or maintenance at the facility that has a significant effect on the discharge, or the potential for the discharge, of pollutants from the facility;

- (b) routine inspections or compliance evaluations determine that there are deficiencies in the control measures;
 - (c) inspections by local, state, or federal officials determine that modifications to the SWPPP are necessary;
 - (d) there is a spill, leak or other release at the facility; or
 - (e) there is an unauthorized discharge from the facility.
- (2) SWPPP modifications shall be made within 30 calendar days after discovery, observation or event requiring a SWPPP modification. Implementation of new or modified Control measures (distinct from regular preventive maintenance of existing Control measures described in Part I.D.3.b.(6)(b)(iii)) shall be initiated before the next storm event if possible, but no later than 60 days after discovery, or as otherwise provided or approved by the Director. The amount of time taken to modify a BMP or implement additional Control measures shall be documented in the SWPPP.
- (3) If the SWPPP modification is based on a release or unauthorized discharge, include a description and date of the release, the circumstances leading to the release, actions taken in response to the release, and measures to prevent the recurrence of such releases. Unauthorized releases and discharges are subject to the reporting requirements of Part II.G. of this permit.
4. Facility Specific Requirements - Water Transportation and Vessel Repair and Maintenance Facilities

a. Discharges Covered Under this Section

The requirements listed under this section apply to storm water discharges from Water Transportation facilities, that have vehicle (vessel) maintenance shops and/or equipment cleaning operations. The water transportation industry includes facilities engaged in marine railway operations for drydocking (4499) and other similar and related industrial activities (travel-lifts) at those vessel haul locations.

In addition, the requirements listed under this section also apply to storm water discharges associated with industrial activity from facilities engaged in marinas (SIC Code 4493) and boat and yacht building and repairing (SIC Code 3732).

The term "yard", as used in this section, refers to any upland or shore-side location(s) at Chesapeake Marine Railway, LLC, where vessels, boats, barges, or other

similar water-borne craft are stored, maintained, repaired, or fabricated.

b. Effluent Limitations

See specific best management practices (BMPs), control measures, and wastewater limitations and prohibitions in Parts I.A., I.B.7., I.B.8. and I.B.9. of this permit.

c. Analytical Monitoring

All required chemical monitoring appears under Part I.A. of this permit.

d. Non-Storm Water Discharges

Consistent with the requirements of Part I.B.7 and I.B.8., the following discharges are not "authorized" non-storm water discharges under this section, and if present, may require additional controls and/or limitations:

- (1) bilge and ballast water (I.B.7.);
- (2) sanitary wastes (I.B.7.);
- (3) pressure wash water (I.B.7. and I.B.8.); and
- (4) cooling water originating from vessels (I.B.7.).

e. Pollution Prevention Plan Requirements

In addition to the requirements of Part I.D.3., the SWPPP shall include, at a minimum, the following items:

(1) Site Description

(a) Site Map

The site map shall identify the locations where any of the following activities may be exposed to precipitation/surface runoff:

- i. fueling;
- ii. engine maintenance/repair;
- iii. vessel maintenance/repair;
- iv. pressure-washing;
- v. painting;
- vi. sanding;
- vii. blasting;
- viii. welding;
- ix. metal fabrication;
- x. loading/unloading areas;
- xi. locations used for the treatment, storage or disposal of wastes;
- xii. liquid storage tanks;
- xiii. liquid storage areas (e.g., paint, solvents, resins); and
- xiv. material storage areas (e.g., blasting media, aluminum, steel, scrap iron).

(b) Summary of Potential Pollutant Sources

The plan shall describe the following additional sources and activities that have potential pollutants associated with them:

- i. outdoor manufacturing or processing activities (i.e., welding, metal fabricating); and
- ii. significant dust or particulate generating processes (e.g., abrasive blasting, sanding, painting).

(2) Storm Water Controls

(a) Good Housekeeping Measures

i. Pressure-washing Areas

If pressure-washing is used to remove marine growth from vessels or is used to prepare the hulls for later work, the discharge water must be permitted as a process wastewater by a separate VPDES permit (see Parts I.A. and I.B.8.). The SWPPP shall describe: all measures to collect or contain the discharge from the pressure-washing area(s); the method for the removal of the visible solids; the methods of disposal of the collected solids; and where the discharge will be released.

ii. Blasting and Painting Areas

The permittee shall describe and implement measures to prevent spent abrasives, paint chips and overspray from discharging into the receiving waterbody or the storm sewer system. To prevent the discharge of contaminants, the permittee may consider containing all blasting/painting activities, or using other methods, such as hanging plastic barriers or tarpaulins during blasting or painting operations to prevent or minimize the discharge of contaminants. The plan shall include a schedule for regularly cleaning storm systems to remove deposits of abrasive blasting debris and paint chips. The plan shall include any standard operating practices with regard to blasting and painting activities, such as the prohibition of uncontained blasting/ painting over open water or the prohibition of blasting/painting during windy conditions that can render containment ineffective.

iii. Material Storage Areas

All containerized materials (e.g., fuels, paints, solvents, waste oil, antifreeze, batteries) shall be plainly labeled and stored in a protected, secure location away from drains. The permittee shall describe and implement measures to prevent or minimize the contamination of precipitation/surface runoff from the storage areas. The plan shall specify which materials are stored indoors and consider containment or enclosure for materials that are stored outdoors. The permittee shall consider implementing an inventory control plan to limit the presence of potentially hazardous materials on-site. Where abrasive blasting is performed, the plan shall specifically include a discussion on the storage and disposal of spent abrasive materials generated at the facility.

iv. Engine Maintenance and Repair Areas

The permittee shall describe and implement measures to prevent or minimize contamination of precipitation/surface runoff from all areas used for engine maintenance and repair. The permittee shall consider the following measures (or their equivalent):

- performing all maintenance activities indoors; maintaining an organized inventory of materials used in the shop; draining all parts of fluids prior to disposal;
- prohibiting the practice of hosing down the shop floor;
- using dry cleanup methods; and
- treating and/or recycling storm water runoff collected from the maintenance area.

v. Material Handling Areas

The permittee shall describe and implement measures to prevent or minimize contamination of precipitation/surface runoff from material handling operations and areas (e.g., fueling, paint and solvent mixing, disposal of process wastewater

streams from vessels). The permittee shall consider the following measures (or their equivalents):

- covering fueling areas; using spill/overflow protection; mixing paints and solvents in a designated area (preferably indoors or under a shed); and
- minimizing run-on of storm water to material handling areas.

vi. Dry-dock Activities

Not applicable. The facility does not maintain or operate a floating or graving drydock at this facility.

vii. General Yard Area

The plan shall include a schedule for routine yard maintenance and cleanup. Scrap metal, wood, plastic, miscellaneous trash, paper, glass, industrial scrap, insulation, welding rods, packaging, etc., shall be routinely removed from the general yard area.

(b) Preventative Maintenance

As part of the facility's preventive maintenance program, storm water management devices shall be inspected and maintained in a timely manner (e.g., oil/water separators and sediment traps cleaned to ensure that spent abrasives, paint chips and solids are intercepted and retained prior to entering the storm drainage system). Facility equipment and systems shall also be inspected and tested to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters.

(c) Routine Facility Inspections

The following areas shall be included in all monthly inspections:

- i. pressure-washing area;
- ii. blasting, sanding, and painting areas;
- iii. material storage areas;
- iv. engine maintenance and repair areas;
- v. material handling areas; and
- vi. general yard area.

(d) Employee Training

Training shall address, at a minimum, the following activities (as applicable):

- i. used oil management;
- ii. spent solvent management;
- iii. proper disposal of spent abrasives;
- iv. proper disposal of vessel wastewaters;
- v. spill prevention and control;
- vi. fueling procedures;
- vii. general good housekeeping practices;
- viii. painting and blasting procedures; and
- ix. used battery management.

(e) Benchmark Monitoring

Analytical monitoring included in Parts I.A.1., I.A.5. and I.A.9. of this permit shall be compared to the benchmark concentrations below. Benchmark concentrations included in Table I of this permit are not effluent limitations. Exceedance of a benchmark concentration does not constitute a violation of this permit and does not indicate that violation of a water quality standard has occurred; however, it does signal that modifications to the SWPPP are necessary, unless justification is provided in the comprehensive site compliance evaluation (Part I.D.3.d). In addition, exceedance of benchmark concentrations may indicate the requirement for more specific pollution prevention controls.

Table 1. Benchmark Monitoring Requirements

Pollutants of Concern	Benchmark Concentration	WQS-Based Wasteload Allocations
Total Suspended Solids	100 mg/l	Not Applicable
Copper	18 µg/l (total recoverable)	4.4 µg/l (as dissolved)
Zinc	120 µg/l (total recoverable)	43 µg/l (as dissolved)

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.
4. All analysis for compliance with effluent limitations shall be in accordance with 1VAC30-45, Certification for Noncommercial Environmental Laboratories, or 1VAC30-46, Accreditation for Commercial Environmental Laboratories.

B. Records

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit.

Monitoring results shall be submitted to:

Virginia Department of Environmental Quality
Piedmont Regional Office
4949-A Cox Road
Glen Allen, Virginia 23060

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.
4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II.F.; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II.F., shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the un-authorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II.I.2. Unusual and extra-ordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
 - a. Any unanticipated bypass; and
 - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II.I. if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II.I.1. or 2., in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II.I.2.

NOTE: The immediate (within 24 hours) reports required in Parts II.G., H. and I. may be made to the Department's Piedmont Regional Office at pro.SSO-ud@deq.virginia.gov, or (804) 572-5020. For telephone reports outside normal working hours, follow the instructions on the voicemail to reach the appropriate staff. For emergencies, the Virginia Department of Emergency Services maintains a 24-hour telephone service at 1-800-468-8892.

J. Notice of Planned Changes

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
 - (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or
 - (2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;

- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements

1. Applications. All permit applications shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II.K.1., or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part II.K.1.;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
 - c. The written authorization is submitted to the Department.
3. Changes to Authorization. If an authorization under Part II.K.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II.K.2. shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Parts II.K.1. or 2. shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. The permittee shall comply with

effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II.U.), and "upset" (Part II.V.) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or

auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of Solids or Sludges

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II.U.2. and U.3.
2. Notice
 - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
 - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II.I.
3. Prohibition of bypass
 - a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

- (3) The permittee submitted notices as required under Part II.U.2.
- b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II.U.3.a.

V. Upset

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required in Part II.I.; and
 - d. The permittee complied with any remedial measures required under Part II.S.
3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II.Y.2., a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II.Y.1. this permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
 - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II.Y.2.b.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)**

Industrial Minor 12/01/2014

**DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)**

NAME Chesapeake Marine Railway LLC
ADDRESS 548 Deagles Rd
Deltaville VA 23043

VA0091294			001			
PERMIT NUMBER			DISCHARGE NUMBER			
MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY

Piedmont Regional Office
4949-A Cox Road

Glen Allen VA 23060

FACILITY LOCATION From SR33, turn right onto Rt1102, 1 mi to Rt 1104 (Deagle Rd), turn right and follow to the en

FROM

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
389 NITRITE+NITRATE-N, TOTAL	REPORTD	*****	*****		*****	*****					
	REQMNT	*****	*****		*****	*****	NL	MG/L		1/6M	GRAB
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

QLs - TSS 1.0 mg/l, COPPER 1.0 ug/l, ZINC 5.0 ug/l - INDUSTRIAL STORM WATER POINT SOURCE LOCATION, NO PROCESS WW DISCHARGES PERMITTED

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
				TYPED OR PRINTED NAME			TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)**

Industrial Minor 12/01/2014

**DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)**

NAME Chesapeake Marine Railway LLC
ADDRESS 548 Deagles Rd
Deltaville VA 23043

VA0091294			008			
PERMIT NUMBER			DISCHARGE NUMBER			
MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY

Piedmont Regional Office
4949-A Cox Road

Glen Allen VA 23060

FACILITY LOCATION From SR33, turn right onto Rt1102, 1 mi to Rt 1104 (Deagle Rd), turn right and follow to the en

FROM

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		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
389 NITRITE+NITRATE-N, TOTAL	REPORTD	*****	*****		*****	*****					
	REQMNT	*****	*****		*****	*****	NL	MG/L		1/YR	GRAB
	REPORTD										
	REQMNT									*****	
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	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

QLs - TSS = 1.0 mg/l, COPPER 1.0 ug/l, ZINC 5.0 ug/l; DEFINED PROCESS WW DISCHARGES FROM MARINE RAILWAY

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
				TYPED OR PRINTED NAME			TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY

This report is required by your VPDES permit and by law. (See, e.g., the Code of Virginia of 1950 §62.1-44.5 and 9 VAC 25-31-50.) Failure to report or failure to report truthfully can result in civil penalties of \$32,500 per violation, per day and felony prosecutions which can carry a 15 year term.

DISCHARGE MONITORING REPORT (DMR) - GENERAL INSTRUCTIONS

1. Complete this form in permanent ink or indelible pencil. The use of 'correction fluid/tape' is not allowed.
2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".
3. For those parameters where the "permit requirement" spaces have a requirement or limitation, provide data in the "reported" spaces in accordance with your permit.
4. Enter the average and maximum quantities and units in the "reported" spaces in the columns marked "Quantity or Loading".
 $KG/DAY = \text{Concentration (mg/L)} \times \text{Flow (MGD)} \times 3.785$ $G/D \text{ (Grams/Day)} = \text{Concentration (mg/L)} \times \text{Flow (MGD)} \times 3785$
5. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces in the columns marked "Quality or Concentration".
6. For all parameters enter the number of samples which do not comply with the maximum and/or minimum permit requirements in the "reported" space in the column marked "No. Ex." (Number of Exceedances). If none, enter "0". Do NOT include monthly average violations in this field. Include any Maximum 7-Day Average and Maximum Weekly Average violations in this field. Permittees with continuous pH, or temperature monitoring requirements should consult the permit for what constitutes an exceedance and report accordingly.
7. You are required to sample (at a minimum) according to the Sample Frequencies and Sample Types specified in your permit.
8. Enter the actual frequency of analysis for each parameter (number of times per day, week, month, etc.) in the "reported" space in the column marked "Frequency of Analysis".
9. Enter the actual type of sample (Grab, 8HC, 24HC, etc) collected for each parameter in the "reported" space in the column marked "Sample Type".
10. Enter additional required data or comments in the space marked "additional permit requirements or comments". If additional required data or comments are appended to the DMR, reference appended correspondence in this field.
11. Record the number of bypasses during the month, the total flow in million gallons (MG) and BOD5 in kilograms (KG) in the proper columns in the section marked "Bypasses and Overflows".
12. The operator in responsible charge of the facility should review the form and sign in the space provided. If the plant is required to have a licensed operator or if the operator in responsible charge of the facility is a licensed operator, the operator's signature and certificate number must be reported in the spaces provided.
13. The principal executive officer then reviews the form and must sign in the space provided and provide a telephone number where he/she can be reached. Every page of the DMR must have an original signature.
14. Send the completed form(s) with original signatures to your Department of Environmental Quality Regional Office by the 10th of each month unless otherwise specified in the permit.
15. You are required to retain a copy of the report for your records.
16. Where violations of permit requirements are reported, attach a brief explanation in accordance with the permit requirements describing causes and corrective actions taken. Reference each separate violation by date.
17. If you have any questions, contact the Department of Environmental Quality Regional Office listed on the DMR.

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)**

Industrial Minor 12/01/2014

**DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)**

NAME Chesapeake Marine Railway LLC
ADDRESS 548 Deagles Rd
Deltaville VA 23043

VA0091294			001			
PERMIT NUMBER			DISCHARGE NUMBER			
MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY

Piedmont Regional Office
4949-A Cox Road

Glen Allen VA 23060

FACILITY LOCATION From SR33, turn right onto Rt1102, 1 mi to Rt 1104 (Deagle Rd), turn right and follow to the en

FROM

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS BEFORE COMPLETING THIS FORM.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD	*****			*****	*****	*****				
	REQMNT	*****	NL	MG	*****	*****	*****			1/YR	EST
002 pH	REPORTD	*****	*****			*****					
	REQMNT	*****	*****		6.0	*****	9.0	SU		1/YR	GRAB
004 TSS	REPORTD	*****	*****		*****	*****					
	REQMNT	*****	*****		*****	*****	NL	MG/L		1/YR	GRAB
196 ZINC, TOTAL RECOVERABLE	REPORTD	*****	*****		*****	*****					
	REQMNT	*****	*****		*****	*****	NL	UG/L		1/YR	GRAB
203 COPPER, TOTAL RECOVERABLE	REPORTD	*****	*****		*****	*****					
	REQMNT	*****	*****		*****	*****	NL	UG/L		1/YR	GRAB
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

QLs - TSS 1.0 mg/l, COPPER 1.0 ug/l, ZINC 5.0 ug/l - INDUSTRIAL STORM WATER POINT SOURCE LOCATION, NO PROCESS WW DISCHARGES PERMITTED

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY

PERMITTEE NAME/ADDRESS(INCLUDE FACILITY NAME/LOCATION IF DIFFERENT)

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		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
389 NITRITE+NITRATE-N, TOTAL	REPORTD	*****	*****		*****	*****					
	REQMNT	*****	*****		*****	*****	NL	MG/L		1/YR	GRAB
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	
	REPORTD										
	REQMNT									*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

QLs - TSS = 1.0 mg/l, COPPER 1.0 ug/l, ZINC 5.0 ug/l; DEFINED PROCESS WW DISCHARGES FROM MARINE RAILWAY

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE			DATE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE		
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY

This report is required by your VPDES permit and by law. (See, e.g., the Code of Virginia of 1950 §62.1-44.5 and 9 VAC 25-31-50.) Failure to report or failure to report truthfully can result in civil penalties of \$32,500 per violation, per day and felony prosecutions which can carry a 15 year term.

DISCHARGE MONITORING REPORT (DMR) - GENERAL INSTRUCTIONS

1. Complete this form in permanent ink or indelible pencil. The use of 'correction fluid/tape' is not allowed.
2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".
3. For those parameters where the "permit requirement" spaces have a requirement or limitation, provide data in the "reported" spaces in accordance with your permit.
4. Enter the average and maximum quantities and units in the "reported" spaces in the columns marked "Quantity or Loading".
 $KG/DAY = \text{Concentration (mg/L)} \times \text{Flow (MGD)} \times 3.785$ $G/D \text{ (Grams/Day)} = \text{Concentration (mg/L)} \times \text{Flow (MGD)} \times 3785$
5. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces in the columns marked "Quality or Concentration".
6. For all parameters enter the number of samples which do not comply with the maximum and/or minimum permit requirements in the "reported" space in the column marked "No. Ex." (Number of Exceedances). If none, enter "0". Do NOT include monthly average violations in this field. Include any Maximum 7-Day Average and Maximum Weekly Average violations in this field. Permittees with continuous pH, or temperature monitoring requirements should consult the permit for what constitutes an exceedance and report accordingly.
7. You are required to sample (at a minimum) according to the Sample Frequencies and Sample Types specified in your permit.
8. Enter the actual frequency of analysis for each parameter (number of times per day, week, month, etc.) in the "reported" space in the column marked "Frequency of Analysis".
9. Enter the actual type of sample (Grab, 8HC, 24HC, etc) collected for each parameter in the "reported" space in the column marked "Sample Type".
10. Enter additional required data or comments in the space marked "additional permit requirements or comments". If additional required data or comments are appended to the DMR, reference appended correspondence in this field.
11. Record the number of bypasses during the month, the total flow in million gallons (MG) and BOD5 in kilograms (KG) in the proper columns in the section marked "Bypasses and Overflows".
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